

JX

FT MEADE  
GenColl

1706

-A34

1912c

cc 1706





Class JX1706

Book A 34

1912C  
COPY 2













435

950

## IMPROVEMENT OF THE FOREIGN SERVICE.

---

JUNE 5, 1912.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

---

Mr. SULZER, from the Committee on Foreign Affairs, submitted the following

### REPORT.

(To accompany H. R. 20044.)

The Committee on Foreign Affairs, to whom was referred the bill (H. R. 20044) entitled "A bill for the improvement of the foreign service," having had the same under consideration, reports it favorably and recommends that the bill without amendment do pass.

This bill gives legislative approval to accomplish results brought about by Executive orders. It is a step forward in the right direction and along constitutional lines. The value of the foreign service to the Government, to American commerce, and to the individual citizen is now recognized and can not be gainsaid. It is no longer merely political, but it has become to a large extent an efficient non-partisan instrument for the expansion of American commerce and the extension of American enterprise, securing for American commercial interests fair and equal trade opportunity with the peoples of other countries, and it assures to the individual citizen the protection of his rights the world over. It is through its agency that the entire business of the Government in its relations with other Governments is conducted, and for every dollar expended for the foreign service the people of the United States receive directly or indirectly one hundred for one in return.

The bill is in harmony with the disposition manifest throughout the country to improve the machinery of government and raise the standard of efficiency on the part of officers and employees. It was prepared and introduced in response to a strong public opinion and an insistent demand upon the part of commercial organizations and business men of the country that the American Diplomatic and Consular Service shall be brought to the highest practicable standard of efficiency. In this connection it is proper to say that much has been

20044

done by Executive order to provide a system by which the qualification of candidates for appointment in the foreign service shall be tested by thorough and impartial examinations. Copies of these Executive orders and other data relating to the same are hereto attached and made a part of this report.

The first object sought to be accomplished in the bill is the

#### APPOINTMENT TO GRADES INSTEAD OF TO PLACES.

The appointment of a secretary in the Diplomatic Service or of a consular officer to a grade instead of a place would make him transferable instantly by the Executive to any post in the grade to which he has been appointed. This would bring into the service an element of elasticity which it does not now possess and which is of the highest importance if the service is to fulfill its mission to the greatest degree of efficiency. In accordance with the public needs, the secretaries of the Diplomatic Service and the consular officers would then be instantly assignable, like the officers of the Army and Navy. At present the salary attaches to the office but not to the man. For example, if a consulate ceases to be necessary the President may close it, but he can not use the consul at another place, where a consul may be of the utmost importance, until Congress shall have enacted suitable legislation creating a consulate at that place. Also, an embassy may be temporarily overworked, but under the existing system a secretary can not be detached from another diplomatic post and assigned for the time being to the busy embassy. Section 1 of this bill is intended to remove this obstacle by authorizing the appointment of officers to grades and permitting the salaries to attach to the grades instead of to the place to which the officer may be assigned.

This provision does not purpose to limit the authority either of the President or of Congress, but merely seeks to substitute for the present cumbersome and awkward system a method by which the officers of the foreign service may instantly respond to the public needs and to the ever-changing political and commercial conditions abroad. The adoption of the first section of this bill would stimulate efficiency, and would involve no greater if as great expense to the Government, and would relieve Congress of many unnecessary details of legislation.

The second important object that will be accomplished by this bill is the

#### GRADING OF SECRETARIES IN THE DIPLOMATIC SERVICE.

This section is, of course, indispensable if the first section of the bill, with reference to appointments to grades, is enacted. Moreover, there is another important reason in support of this provision. The same lack of system prevails to-day in the Diplomatic Service in respect to grades, that, prior to the act of 1906, existed in the Consular Service. A secretary is assigned to a post which has no fixed relation to any other place. When he is transferred to another post he merely vacates one post and accepts appointment to another. Under these circumstances regulations regarding promotion for efficiency do not have the effect on the men in the service which otherwise they would have were the officers graded as they are in the Con-



sular Service. In order that the full benefit of the principle of promotion for efficiency may be realized, it is necessary that the officers shall be classified and graded by law, so that every member of the service shall have a correct understanding of the relation of the various offices and of their relative importance.

The third object to be accomplished by this measure is to give legislative approval to the existing system of

#### DETERMINING THE FITNESS OF CANDIDATES FOR APPOINTMENT TO THE DIPLOMATIC AND CONSULAR SERVICE BY EXAMINATION.

Nothing has brought about so great a change in the foreign service as the Executive orders requiring candidates to be examined as to their fitness for appointment by undergoing a thorough and impartial examination. The men appointed as a result of these examinations have been of a far higher average ability than in the past. The appointments have been distributed over a larger number of States than heretofore. For instance, the representation in the South was 51 in 1906; in 1912 it was 103, showing that a large number of Southerners were appointed. A great increase in appointments is also shown from States in other parts of the country which were until recently with little or no representation. The new system is gradually operating to give the United States a foreign-service representative of the whole country instead of small sections of the country. The establishment of efficiency records and the adoption of the principle of promotion on merit alone have brought about an activity and efficiency hitherto unknown in our foreign service.

But it may be asked why, if the President has the power already to accomplish these things, Congress should be asked to legislate upon the subject? The object of everyone in favor of this bill is to render the existing system of appointments and promotions as permanent as possible. The enactment of this bill into law, even though it does not purport to be mandatory upon the President, would give to the present system far greater stability and permanency than it could possess as an act of the President alone. The formal approval of this system by action of Congress, backed by the strong public opinion which has centered about this bill, would be of enormous assistance to any President in upholding and continuing the application of the merit principle to the foreign service.

There can be no question about the constitutionality of the measure, since it in nowise purports to direct the President as to what he shall do. The obligation imposed upon the Secretary of State to discharge certain duties of an administrative character, and the constitution of two boards of examiners with specified duties, are beyond question within the power of Congress. The enactment of this bill will go a long way toward enabling future Presidents and Secretaries of State to discharge their duties in connection with foreign intercourse and the development of commerce in a thoroughly efficient manner.

#### NONPARTISAN STEPS TOWARD GREATER EFFICIENCY.

In 1855 an act was passed attempting to grade the posts in the foreign service and provide administrative rules and safeguards. The act was so imperfect in a number of parts that it was reenacted

in modified form in 1856, but in no way did it touch the fitness of the personnel of the service. From 1856 to 1895 appointments to foreign service continued to be made for political and other considerations, with no attempt whatever to determine the qualifications of the persons appointed. In 1895, toward the close of his second administration, President Cleveland, by Executive order promulgated regulations under which candidates for the lower grades of the Consular Service should be examined to test their qualifications for appointment. These regulations were imperfect and made no attempt to regulate appointments to the higher grades of the service, which were left open, as formerly, to candidates able to bring forward sufficient political influence. Imperfect as they were these regulations were applied strictly until the close of the administration.

When Mr. McKinley became President there was the usual pressure brought to bear for foreign-service appointments, with the result that from March 4, 1897, to November 1, 1898, it has been stated that 238 out of a total of 272 members of the Consular Service had been recalled and their places filled by new men. The examination regulations were nominally in force, but the examination in fact was little more than a form.

By this time the value of consular activity to the export trade of the country had come to be realized and commercial bodies and business men began to show an interest in the improvement of the foreign service. As far back as 1895 Senator Morgan, of Alabama, had introduced a bill to classify and grade the posts in the foreign service and to apply civil-service principles to the selection and appointment of officers. Similar bills were introduced at almost every session of Congress thereafter, and each year the movement made great gains, both in the number and the character of the people furthering it.

When Elihu Root became Secretary of State, in 1905, one of his first acts was to draft, in collaboration with Senator Lodge, a bill to classify and grade the Consular Service, to apply civil-service principles to the selection, appointment, and promotion of officers, and, among other things, to establish a system of periodical inspection of all offices in the Consular Service. This measure was strongly supported by commercial bodies, newspapers, and magazines throughout the country and was finally enacted into law, minus the provisions regulating selection, appointment, and promotion of officers.

President Roosevelt, by Executive order, promptly promulgated regulations similar to those omitted from the act, and therefore, since June 27, 1906, the Consular Service has been administered in an entirely nonpartisan manner and according to the strict principles of the merit system.

Later, soon after the beginning of his administration, President Taft, by Executive order, applied similar rules and regulations to the secretaryships in the Diplomatic Service. Civil-service principles have, therefore, governed the administration of the entire foreign service, with the exception of the heads of missions, since the autumn of 1909.

#### MERITS OF THE BILL.

The great merit of this bill is the fact that it embodies something which removes the constitutional difficulty that has wrecked all of those bills which have been put forward for so many years at the



request of the commercial and manufacturing interests. This bill does not attempt to raise the difficult constitutional question by trying absolutely to tie the hands of the appointing power. It relies on the tremendous public opinion in this country of all the business interests, who know we must have an efficient and experienced foreign service, and upon the fact that we are not likely to have any Presidents who will wish to go back to an inefficient foreign service to handicap our country's trade and commerce.

The enactment of the Sulzer bill (H. R. 20044) insures:

That the consideration of the political affiliations of candidates would be prohibited.

That the successful passing of the prescribed examinations would be legally recognized as a prerequisite for foreign-service appointments.

That efficiency is the only basis for promotion.

That the special efficiency of diplomatic secretaries, of consular officers, of departmental officers and employees, and of all persons who have passed the prescribed examinations would be brought to the attention of the President when recommendations for initial appointments, promotions, and transfers are submitted to him.

That efficiency records would be kept of diplomatic secretaries, of consular officers, and of officers and clerks of the Department of State.

That the proportional representation of the several States and Territories in the foreign service would be published at the close of each examination.

That diplomatic secretaries and consuls would be appointed to grades instead of to specified posts.

That orderly promotion would be made possible by the grading of diplomatic secretaryships.

That the scope and frequency of examinations would be legally established.

That the examining boards would be legally established.

That the reports of the examining boards would be in writing and would be published.

That the constitutional provision requiring the concurrence of the Senate to make the appointment of diplomatic and consular officers effective would not be changed.

As a matter of fact, all that this bill does is to perpetuate and give the mandate of law to the existing methods of examination, and also to the keeping of efficiency records, and to make it mandatory upon the Secretary of State to report to the President, from time to time, after examinations, the names and records of those whom the examination shows to be fitted for appointment as secretary of embassy or legation, or to a consular post, or as a student interpreter, or as a consular assistant, and the names and records of those in the service whose efficiency records will show that they are in line for promotion.

Stopping there, this bill relies upon the moral effect of the backing of the business interests of the whole country, who realize the importance of a trained foreign service, and upon the moral force of this mandate from Congress, to hold up the hands of any President against pressure and make it easier for him to continue to run the service on a strictly merit principle and to its maximum efficiency.

## OPINION OF THE SOLICITOR FOR THE DEPARTMENT OF STATE.

[Dated March 13, 1912.]

Section 1 of Mr. Sulzer's bill (H. R. 20044) provides:

That the President may make all appointments of secretaries in the Diplomatic Service and of consuls general and consuls to grades instead of to places, subject to the advice and consent of the Senate in each case.

The section of the Constitution of the United States providing for the appointment of officers in the Diplomatic and Consular Service reads as follows:

The President \* \* \* shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointment is not herein otherwise provided for and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments. (Art. II, sec. 2.)

It is to be noted that Mr. Sulzer's bill is not an effort on the part of Congress to hamper or control the President's constitutional power of appointment. It provides that the President may make appointments of certain officers in the Diplomatic and Consular Service to grades instead of to places, and does not purport to be in any sense mandatory upon the President.

It does not raise the constitutional question whether Congress has the power to compel the President to make appointments of secretaries in the Diplomatic Service and of consuls general and consuls to grades instead of to places subject to the advice and consent of the Senate; it does not raise the question whether the President has this power irrespective of congressional authorization; nor does it raise the question whether this is a matter for consideration alone of the President and the Senate. It does not purport to be more than an expression by Congress to the effect that it will not object to the President's nominating these officers in the future to grades instead of to places. It is the establishment of a method that should be established by common consent of both the President and Congress, for while, as Attorney General Cushing says, the President has power by the Constitution to appoint diplomatic agents of the United States of any rank at any place and at any time in his discretion, subject only to the constitutional condition of the relation to the Senate, yet it would be very difficult for the President otherwise to break away from the established practice under which for years he and his predecessors have been expected by Congress to make appointments. Any change in this respect should come by general consent. If congressional authorization for the change is necessary it is here given; if it is not necessary then this is an indication on the part of both Houses of Congress of their approval of a change in the long-established manner of making appointments.

In acts of Congress relating to our Diplomatic and Consular Service there appear to be precedents for the action contemplated by section 1 of Mr. Sulzer's bill. In expressing his opinion of that provision in the act of 1855, entitled "An act to remodel the diplomatic and consular systems of the United States," which provides that "the President shall appoint no other than citizens of the United States who are residents thereof or abroad in the employment of the Government at the time of their appointment." Attorney General Cushing asserted that this, like some other things in the act, must be



deemed directory or recommendatory only and not mandatory, as the limit of the range of selection for the appointment of constitutional officers depends on the Constitution. It may, however, be observed that as a matter of practice the President appears generally to have appointed only citizens to such offices, at least to the diplomatic and principal consular offices.

The act of Congress approved April 5, 1906, authorized the President, by and with the advice and consent of the Senate, to appoint five consuls general at large with power in the President to assign these officers to duty in any part of the world where the public interests require. The President may authorize any consul general at large to suspend the consul or consul general and administer the office in his stead.

In enacting this legislation providing that the President might appoint these consular officers to the grade of consuls general at large, Congress appears to have done the precise thing which is provided for in section 1 of Mr. Sulzer's bill.

*Table showing present apportionment of diplomatic and consular appointments by States and Territories.*

State.	Diplomatic.		Consular.	
	Due.	Actual.	Due.	Actual.
Alabama.....	2.48	.....	8.51	3
Alaska.....	.11	.....	.37	.....
Arizona.....	.22	.....	.74	1
Arkansas.....	1.84	.....	6.29	.....
California.....	2.81	4	9.62	14
Colorado.....	.97	.....	3.33	2
Connecticut.....	1.30	.....	4.44	7
Delaware.....	.22	1	.74	.....
District of Columbia.....	.43	9	1.48	16
Florida.....	.87	.....	2.96	1
Georgia.....	3.02	.....	10.36	4
Hawaii.....	.22	.....	.74	1
Idaho.....	.43	.....	1.48	1
Illinois.....	6.59	9	22.57	23
Indiana.....	3.13	2	10.73	11
Iowa.....	2.59	1	8.88	11
Kansas.....	1.94	1	6.66	4
Kentucky.....	2.70	3	9.25	5
Louisiana.....	1.94	4	6.66	3
Maine.....	.86	1	2.96	6
Maryland.....	1.51	4	5.18	8
Massachusetts.....	4.00	7	13.69	22
Michigan.....	3.24	2	11.10	10
Minnesota.....	2.48	3	8.51	9
Mississippi.....	2.05	2	7.03	3
Missouri.....	3.89	3	13.32	13
Montana.....	.43	.....	1.48	1
Nebraska.....	1.40	.....	4.81	5
Nevada.....	.11	1	.37	.....
New Hampshire.....	.54	1	1.85	4
New Jersey.....	3.02	2	10.36	6
New Mexico.....	.43	.....	1.48	3
New York.....	10.69	16	36.63	35
North Carolina.....	2.59	.....	8.88	5
North Dakota.....	.65	.....	2.22	2
Ohio.....	5.62	5	19.24	26
Oklahoma.....	1.94	.....	6.66	3
Oregon.....	.76	.....	2.59	3
Pennsylvania.....	8.96	10	30.71	28
Rhode Island.....	.65	2	2.22	3
South Carolina.....	1.73	1	5.92	8
South Dakota.....	.65	1	2.22	2
Tennessee.....	2.59	.....	8.88	9
Texas.....	4.54	1	15.54	3
Utah.....	.43	.....	1.48	1
Vermont.....	.43	1	1.48	4
Virginia.....	2.38	4	8.14	9
Washington.....	1.30	4	4.44	3
West Virginia.....	1.40	1	4.81	5
Wisconsin.....	2.70	.....	9.25	9
Wyoming.....	.22	1	.74	.....

The bill is as follows:

[H. R. 20044, Sixty-second Congress, second session.]

A BILL For the improvement of the foreign service.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President may make all appointments of secretaries in the Diplomatic Service and of consuls general and consuls to grades instead of to places, subject to the advice and consent of the Senate in each case.

SEC. 2. That the Secretary of State is directed to report from time to time to the President, along with his recommendations for promotion, or for transfer between the department and the foreign service, the names of those secretaries in the Diplomatic Service and the names of those consular officers or departmental officers or employees who, by reason of efficient service, an accurate record of which shall be kept in the Department of State, have demonstrated special efficiency, and also the names of persons found upon examination to have fitness for appointment to the lower grades of the service.

SEC. 3. That the secretaryships in the Diplomatic Service are hereby graded and classified as follows: Class one, three thousand dollars, secretaries of embassy; class two, two thousand six hundred and twenty-five dollars, secretaries of legation; class three, two thousand dollars, secretaries of legation and second secretaries of embassy; class four, one thousand eight hundred dollars, second secretaries of legation; class five, one thousand two hundred dollars, third secretaries of embassy or legation.

SEC. 4. That the board of examiners for the Diplomatic Service shall be composed of an Assistant Secretary of State, the chief examiner of the Civil Service Commission or such other officer as that commission shall designate, a law officer of the Department of State, and one other officer to be designated by the Secretary of State. The board of examiners for the Consular Service shall be composed of the officer charged with the administration of the Consular Service, the Chief of the Consular Bureau, the Chief of the Bureau of Trade Relations, and the chief examiner of the Civil Service Commission or such other officer as that commission shall designate.

SEC. 5. That the scope and method of the examinations shall be determined by the boards of examiners, but the examinations shall include business experience and ability, the resources and commerce of the United States, with special reference to the development of export trade, international, commercial, and maritime law and history, American history, government, and institutions, and one language other than English. These examinations shall be held at least once annually, and shall be conducted with strict impartiality, and without regard to the political or other affiliations of any candidate; and upon their conclusion the boards of examiners shall certify in writing to the Secretary of State the names of those persons whom they have found to be, in their judgment, thoroughly well qualified for the Diplomatic or Consular Services; and the report of the board shall be made public; and the Secretary of State shall at the same time make a public statement of the proportional representation of the different States and Territories in the foreign service.

SEC. 6. That this act shall take effect immediately.

#### THE HEARINGS ON THE BILL.

The extended hearings held by the committee produced overwhelming evidence in favor of this measure. No one appeared to oppose the bill. There can be no question as to the overwhelming sentiment of the business interests of the country and the people generally in favor of this reform.

Mr. E. Clarence Jones, president of the American Embassy Association, of New York City, made the following concise statement:

We favor the Sulzer bill. There is no question in the minds of anyone, or in the opinion of our organization at least, that the merit system is the only system that should obtain and the only system under which our commercial interests will be properly looked after.



We receive letters from all over the world, and in coming over I have selected a few of those recently received on this subject. They are fresh from our representatives, they show how a man on the ground feels, and I think they will prove interesting reading.

I will read you extracts from a letter from a Chinese post :

"I note that the scope of your activity is to be extended, and I hope that some attention will be given to the question of placing the Consular Service upon a merit basis. I am very sure that the efficiency of this branch of the Government will be greatly increased as soon as a law is passed which will provide for the appointment of only those persons who have passed an examination in commercial and other subjects and which will assure those who have already passed such an examination that their services will be retained as long as they maintain a high standard. There are many desirable men who would join a permanent Consular Service and many valuable men who have resigned our service because they could see in it no promising future."

Now, that is typical of the letters we receive, and the man on the spot best knows the situation.

The merit system, as outlined in Congressman Sulzer's bill 20044, is unquestionably the only system under which to obtain efficiency.

Now, gentlemen, the merit system, if it is established—and it certainly will be ultimately—will do much to alleviate all these troubles. Men will be sent to posts that they are competent to fill, and will be retained as long as they show efficiency, and the commercial interests of the country will be very much benefited thereby.

Statement, before the committee, of Wilbur J. Carr, Director of Consular Service:

Mr. CARR. Mr. Chairman, is there any particular way in which you would like to have me take up this measure?

The CHAIRMAN. Yes; take it up in your own way.

Mr. GARNER. I do not suppose you would mind expressing your opinion as to the constitutionality of the bill before you start in?

Mr. CARR. I have no doubt in my mind about the constitutionality of the Sulzer bill.

Mr. GARNER. That it is constitutional?

Mr. CARR. It is constitutional. It seems to me perfectly unobjectionable on constitutional grounds. We favor it for that reason.

Attempts to reorganize the Diplomatic and Consular Service and place the appointments upon a merit basis have been made from time to time since the beginning of our Government. Aside from the occasional appropriation of salaries for additional posts and the enactment of statutes to correct administrative evils, Congress gave practically no aid in the building up of an adequate foreign service, and all of the improvements effected prior to 1855 were effected by Executive action.

In 1855 an act was passed attempting to grade the posts in the foreign service and provide administrative rules and safeguards. The act was so imperfect in a number of parts that it was reenacted in modified form in 1856, but in no way did it touch the fitness of the personnel of the service. From 1856 to 1895 appointments to the foreign service continued to be made for political and other considerations, with no attempt whatever to determine the qualifications of the persons appointed. In 1895, toward the close of his second administration, President Cleveland, by Executive order, promulgated regulations under which candidates for the lower grades of the Consular Service should be examined to test their qualifications for appointment. These regulations were imperfect and made no attempt to regulate appointments to the higher grades of the service, which were left open, as formerly, to candidates able to bring forward sufficient political influence. Imperfect as they were, these regulations were applied strictly until the close of the administration.

When Mr. McKinley became President, there was the usual pressure brought to bear for foreign-service appointments, with the result that from March 4, 1897, to November 1, 1898, it has been stated that 238 out of a total of 272 members of the Consular Service had been recalled and their places filled by new men. The examination regulations were nominally in force, but the examination in fact was little more than a form.

By this time the value of consular activity to the export trade of the country had come to be realized and commercial bodies and business men began to show an interest in the improvement of the foreign service. As far back as



1895 Senator Morgan, of Alabama, had introduced a bill to classify and grade the posts in the foreign service and to apply civil-service principles to the selection and appointment of officers. Similar bills were introduced at almost every session of Congress thereafter, and each year the movement made great gains, both in the number and the character of the people furthering it.

When Elihu Root became Secretary of State, in 1905, one of his first acts was to draft, in collaboration with Senator Lodge, a bill to classify and grade the Consular Service, to apply civil-service principles to the selection, appointment, and promotion of officers, and, among other things, to establish a system of periodical inspection of all offices in the Consular Service. This measure was strongly supported by commercial bodies, newspapers, and magazines throughout the country, and was finally enacted into law, minus the provisions regulating selection, appointment, and promotion of officers.

President Roosevelt, by Executive order, promptly promulgated regulations similar to those omitted from the act, and therefore, since June 27, 1906, the Consular Service has been administered in an entirely nonpartisan manner and according to the strict principles of the merit system.

Later, soon after the beginning of his administration, President Taft, by Executive order, applied similar rules and regulations to the secretaryships in the Diplomatic Service. Civil-service principles have, therefore, governed the administration of the entire foreign service, with the exception of the heads of missions, since the autumn of 1909.

The result has been: (1) The appointment of officers of a higher average of ability than ever before; (2) a far higher standard of official and personal conduct on the part of the officers; (3) far greater activity, industry, and efficiency than had ever before been known in the foreign service of this country.

The value and efficiency of the foreign service as at present administered has won the highest praise from, first, American business men and commercial organizations that have had occasion to make use of the service; second, from Americans and others who have come in contact with diplomatic and consular officers in their travels abroad; third, from foreign Governments, as is evidenced by their frequent inquiries in regard to some of the factors which have contributed so much to the efficiency of the American system. Instances of the latter are the system of examinations, the system of promotion upon merit rather than by seniority or length of service, and the system of consular inspection.

It may well be inquired why, if our service is so excellent under Executive regulations, Congress should be requested to enact a law which embodies little more than the principles of those regulations. The fact is that no man who may hereafter be elected to the Presidency would probably, of his own accord, desire to relax existing regulations; but the tendency is at the beginning of each new administration to bring to bear upon a President such an amount of political pressure in various forms as to make it sometimes difficult, if not impossible, to avoid a modification of a regulation of the President's own making. Therefore, if Congress should by the enactment of a law embodying the principles of the Executive regulations now in existence formally express its approval of those regulations, it would enormously strengthen an Executive in not only keeping the regulations in force, but in adding to them whenever the circumstances might make that course advisable.

Moreover, the public, and especially those members of it engaged in commercial enterprise, and especially in foreign trade, are not satisfied with regulations resting merely upon the law of the Executive, but are demanding that those regulations—at least the essential principles of them—be enacted into law, in order that they may feel sure that the foreign service, to the care of which their interests principally are committed, shall be made up of men of the intelligence, ability, and integrity necessary to insure the proper protection of the enterprises in which their capital is invested.

It may be asked, Does the Sulzer bill furnish the kind of legislation needed? It does—at least for the present. The bill as drafted seeks to accomplish three important things: (1) To place upon the statute books the essential principles of the existing regulations regarding examinations and promotions; (2) to grade the diplomatic secretaryships so as to make orderly promotion possible; (3) to authorize the President to make all appointments of diplomatic secretaries and consular officers to grades instead of to places, similar to the practice in the Army and the Navy. These are the main principles of the Sulzer bill, which is simple in form and easy to understand.

The bill does not seek to compel or direct the President to make appointments or promotions in any specified manner, and therefore does not abridge



his constitutional right to appointment, with the advice and consent of the Senate, all ambassadors, public ministers, and consuls. On the other hand, it does grade the diplomatic secretaryships and thus provide a basis for orderly promotion, if the President should see fit to direct promotions to be made. It authorizes the President to make appointments to grades instead of to places, which involves, after all, only the consent of Congress (1) to the appointment of a salary by grade instead of by place; (2) an advance agreement by the Senate to confirm nominations by grade as in the case of Army and naval officers. Certainly these things are clearly within the power of Congress to do.

The bill constitutes examining boards to test the fitness of candidates under certain prescribed rules and makes it the duty of the Secretary of State to report the findings of the boards of examiners to the President, but it leaves the President free to accept or reject these findings, for the reason that it might well be claimed that Congress has no power to direct him to accept them. It may be said that the bill makes it morally obligatory upon the President to select his candidates from the eligible list provided by the boards of examiners, and that this would operate to abridge his constitutional powers. No one will for a moment assume that any President is anxious to appoint unfit men to the foreign service; therefore, if fitness is to be the qualification for appointment, every President would be only too anxious to have machinery constituted to relieve him in an orderly manner of the details of making certain that candidates finally certified to him for appointment possess the necessary qualifications. The most important thing, however, is that every conscientious President would, upon the enactment of this law, have his hands strengthened by the moral forces of the law.

Another important feature of this bill is the requirement that the Secretary of State shall make public the reports of the boards of examiners and the proportional representation of each State and Territory in the foreign service. There is nothing that insures efficient conduct on the part of a public servant so much as to be obliged to subject his official acts to the scrutiny of the public. Examining boards, like every other kind of organization, deteriorate if not surrounded by any effective restriction or influence to keep them up to a proper standard. Publicity will do this better than anything else, because, if we know the temper of the public interested in this measure, they do not mean to be trifled with, and may be depended upon to hold the examinations up to a high standard. The proportional representation in the foreign service ought to interest every State and Territory, because nearly all are represented now, and as time goes on, if the existing system is maintained, each State and Territory is likely to have, approximately, its proper proportional representation. Then we should have a foreign service truly representative instead of one almost entirely filled by men from Massachusetts, New York, Ohio, and a dozen other States, as in the past.

The Sulzer bill, if enacted, would give permanence to the existing system, not in a narrow way, from the standpoint of giving some individual a permanent tenure in a public office, but in the larger way of placing at the disposal of the Government and of the business men of the country a body of professional diplomatic and consular officers—men expert in their calling, acquainted with the subjects with which the foreign service has to deal, and capable of handling questions on those subjects in the most efficient manner. The work of a diplomatic and consular officer is not to be learned well in a night any more than a man learns to be a great lawyer after a superficial reading of an elementary text-book on the law. The volumes of regulations enacted to govern the acts of the members of the Diplomatic and Consular Service cover fully a thousand pages, and an officer might know the regulations by heart and still be a very inefficient officer in precisely the same way that a surgeon might know his anatomy in the most minute way and be entirely incapable of performing an operation. A good diplomatic or consular officer is made only by technical knowledge plus extended experience. If we need a professional Army and Navy to fight occasionally when our national interests require it, how much more do we need professional diplomatic and consular officers to fight all the time for the things which keep our farmers busy and our factories running full time.

The grading of the diplomatic secretaryships by this bill, if enacted, would make orderly promotion possible. At present a second secretary of embassy transferred to be a first secretary of legation does not know whether he has been promoted or demoted. A second secretary in South America transferred to be a second secretary in Europe is likewise uncertain as to whether he is being rewarded or otherwise. The result of this condition is dissatisfaction and uncertainty on the part of the officers, under which condition the highest

efficiency is not possible. The assumption of regular grades in the secretaryships would make each promotion have a strong moral effect upon the entire service, would increase ambition and enthusiasm, and hence raise the standard of efficiency.

The authorization empowering the President to appoint to grades instead of to places would give to the service an elasticity which it does not now possess, and an officer appointed to a grade would be assigned instantly, in the discretion of the President, without the necessity of waiting for confirmation or complying with all of the formalities that are now required. At present when an officer is transferred or promoted he is obliged to take an oath, execute a bond, and comply with other formalities precisely as if he were entering the service for the first time. Under the bill which it is proposed to enact, these formalities would disappear and the officer would be instantly assignable, as in the Army and the Navy. It is presumed this provision would also enable the President to determine, in his discretion, the place at which an officer should serve; if not, a provision should be made to cover that point. Under the existing system, the trade of a post may entirely disappear, the need of a consulate may cease to exist, and the Government may go on paying a salary without getting any return therefor, until a bill can be passed through Congress changing the location of the office; likewise, great opportunities for the development of trade or need for the protection of Americans may occur in a place where there are no diplomatic or consular officers and the Executive is without power to assign an officer to the place without first obtaining action by Congress. Experience has shown that from one to five years is required to obtain legislation for a routine change of this kind. Commercial routes are constantly changing, American enterprises in foreign countries are steadily developing, and the officers of the foreign service, if they are to fulfill their mission, should be assignable in the discretion of the President. In no other way can they meet the exigencies that are continually arising in connection with our foreign commercial relations.

#### Statement of Ansley Wilcox, Esq., of Buffalo, N. Y.:

The CHAIRMAN. Give the reporter your name and address.

Mr. WILCOX. Ansley Wilcox, Buffalo, N. Y.

The CHAIRMAN. What position do you hold?

Mr. WILCOX. I am chairman of the committee on diplomatic and consular reform of the National Civil Service Reform League and have been chairman of that committee for a number of years. I appear here in favor of the Sulzer bill as the head of that committee for the National Civil Service Reform League, and I also appear with resolutions passed by the Buffalo Chamber of Commerce indorsing the Sulzer bill, which I shall ask the privilege of reading, as the resolutions were drawn in such a way as to summarize the reasons for approving the Sulzer bill, by a purely commercial organization like our great chamber of commerce of Buffalo. They summarize a great deal of what there is to be said on this subject. These resolutions were first passed upon by the committee on State and foreign commerce of the Buffalo Chamber of Commerce, were adopted unanimously by that committee and then unanimously adopted by the directors of the chamber of commerce, and they read as follows:

#### "CHAMBER OF COMMERCE OF BUFFALO.

"At a meeting of the trustees held on Tuesday, March 12, 1912, the following resolution, recommended by the committee on State and national affairs, was adopted unanimously:

"*Resolved*, That the Chamber of Commerce of Buffalo heartily approves and indorses the bill pending in Congress entitled "An act to improve the foreign service," introduced by Mr. Sulzer, being substantially the same bill formerly introduced by Mr. Lowden. This bill would classify the Diplomatic Service in its lower grades and permit its thorough reorganization, as the Consular Service has heretofore been classified and reorganized under an act of Congress, and would recognize and give legal validity to the examining boards for the Consular and Diplomatic Services already created under Executive orders of President Roosevelt and President Taft, and thus would secure so much of the merit system of appointment and promotion in these great branches of our foreign service as has been introduced and found to be practicable under these existing Executive orders.'"



Copies of these resolutions have been sent to all the members of the committee, I think. They show the attitude of the Buffalo Chamber of Commerce, but I will say a little more before I go on to speak for the Civil Service Reform League, and speak to the merits of the bill itself.

I happen to be very familiar, sir, with the views of the chambers of commerce of the country on this subject, because, quite independently of my position in the Civil Service Reform League, I have for years represented the Buffalo Chamber of Commerce on the subject of consular reform, and I have worked with the representatives of the National Chamber of Commerce on that subject for a great many years. We had a great convention of the chambers of commerce, a great commerce convention, I think it was called; I can not give you the exact year, but I think it was 1908, was it not?

Mr. CARR. It was in 1906.

Mr. WILCOX. It was in 1906, and it was a great convention of all the commercial bodies of the country, and they met in Washington, and they made a special feature of urging upon Congress the passage of the consular reorganization bill which was then pending, and which apparently, up to that time, had not nearly as much opportunity for passing as the bill now pending before you has, or nearly as much apparent strength. So much popular sentiment was created by the unanimous expression of feeling of these representatives of the business men of the country at that time, and so much influence did they have upon the then existing Congress of the United States that the bill was passed within two months after that congress adjourned.

Senator Root, then Secretary of State, came before our convention and addressed us on the subject, and a special committee was appointed to come up and confer with the Speaker of the House of Representatives, our old Uncle Joe, who received us very kindly, and the chairman of this committee, and the bill was favorably reported as the bill was then passed. The commercial bodies of the country, from all parts of the country, expressed themselves consistently and periodically in favor of this legislation. Immediately after the passage of the consular reorganization bill President Roosevelt issued his Executive order in which he created a board of examiners for the Consular Service and created the system which since then has existed, by which an effort has been made to select candidates for the Consular Service on the basis of merit and fitness and not for parties and considerations.

That was the beginning of the reform in the foreign service in modern times. I am not saying that efforts had not been made in that direction before. Some efforts had been made during President Grant's administration and, I believe, by President Cleveland.

This bill is strongly indorsed by the National Civil Service Reform League. Its secretary, Mr. Elliot H. Goodwin, appearing before the committee stated, in part, as follows:

The council of the National Civil Service Reform League, before indorsing this bill, wished to know exactly what results it would accomplish. I have been connected with the league as its secretary for some 10 years, and have had considerable experience in the administration of civil-service systems. Through the aid of Mr. Carr, and with the advantage of entire frankness on the part of the officers of the State Department, I was able very quickly to get at my subject. I examined the eligible lists, I saw the lists of recommendations, the apportionment among the States, and went thoroughly into the kind of examination that is set. While noncompetitive examinations are generally supposed to deteriorate—the standard is not maintained—I find that has not been the case in connection with the consular examinations; that the standard has been maintained through the years that they have been used. I further found that there can be no question that the standard has been raised; that the kind of men who enter the Consular and Diplomatic Service under the examination system established by the Executive orders is far superior to what obtained prior to the issuing of those orders.

Now, gentlemen, we are asking simply that you give the sanction of law to a system now existing, which no one has been bold enough to propose shall be abandoned. It rests to-day on Executive order. It has been tried out, its results are known, and we ask for the sanction of law for the maintenance of that system, because it will have more stability, more recognition, if it is in the form of a statute than in the form of an Executive order. We base that request, first, on the ground that it has improved the Consular and Diplomatic Service, improved its efficiency; second, that there are records to which Mr.



Carr has referred showing that the Consular and Diplomatic Services are more democratic and less partisan than they were under the lack of systems which obtained before these orders were adopted. We think those are sufficient grounds to call for the enactment of this bill.

Hon. Huntington Wilson, Acting Secretary of State, appearing before the committee in favor of the bill, said:

I am very happy that this bill, introduced by Mr. Sulzer, is receiving the serious consideration of this committee, because it is certainly about time that such a bill should become a law if the United States is to hold its place among the foreign powers, through the service that is going to be so necessary to that end, more and more, every year, in the field of foreign commerce. Of course the pressure for such a bill has come from the business organizations and interests of the whole country for years, and I have no doubt it is the fact that New York is our greatest port for foreign commerce that makes it happen that a Representative from New York has taken advanced ground to bring about a recognition by legislation of the fact that you can't carry on the business of promoting foreign commerce with an amateur, catch-as-catch-can foreign service any more than we should think of running our Navy or our fire department with people appointed without regard to their qualifications.

The greatest merit of this bill, in my judgment, is the fact that it embodies something which removes the constitutional difficulty that has wrecked all of these bills which have been put forward for so many years, at the behest of the commercial interests and manufacturing interests. We frankly recognize that the Constitution put the appointing power in the case of ambassadors and other public ministers and consuls—and custom includes in the same category secretaries of embassy and legation—in the hands of the President, subject to confirmation by the Senate. This bill does not attempt to raise the very difficult constitutional question or difficulty by trying absolutely to tie the hands of the constitutional appointing power. It relies on the tremendous public opinion in this country of all the business interests, who know we must have a professional foreign service which I am sure is far beyond what most of us realize, and upon the fact that we are not likely to have any Presidents who will wish to go back to an inefficient foreign service to handicap our country in that way.

MR. SHARP. I would like to ask a general question: I would like to have you state, if you will, the main differences between the system now in vogue of selecting secretaries to embassies and consuls, etc., and the system provided for in this bill.

MR. WILSON. Yes; I will go right to that now. The present foreign service has been run since November, 1909; the whole foreign service, consular and diplomatic, up to the grade of the highest secretaries, has been absolutely a merit and efficiency system without the slightest regard to any other consideration, political or otherwise. That is done under an Executive order dated June, 1906, following the law of a few days before, which Congress passed, classifying the Consular Service. The Executive order of 1906 applies the principles of the civil service to all consular grades, as to the board of examiners, the general scope of the examinations, and, in fact, the régime under which the Consular Service is to be run. The Executive order of President Taft of 1909 does the same thing with the Diplomatic Service up to the grade of secretary. So that in both services there is an examination covering American history and institutions, Latin American, Far Eastern, European history, the rudiments of economics, international law, maritime law, great emphasis being laid on commercial geography and commercial natural resources of the United States and of all the different sections; in fact, an examination requiring a good knowledge of the things really needed for efficiency in diplomacy or in the Consular Service. That counts 50 per cent. Then, there is an oral examination, by this same board of examiners, composed of civil-service commissioners and the proper officers of the department. They examine the candidates by number. Naturally there will occasionally be a man whom one man or another on the board may know, but never does every member of the board know all of the men who are taking the examination, or anything like it, and the great majority are all unknown to all of the examiners.

MR. SHARP. Is the personnel of that board now similar to what this bill provides for?

MR. WILSON. Exactly the same. The board of examiners examine these candidates by number, not knowing where they are from or who they are. The oral examinations consist of hypothetical questions of all kinds to determine



what a man would do in a given case. The object is to try to determine his quickness of mind and his soundness of judgment, his tact, and his discretion, and all of those intangible qualities that we find count a good deal more for success in the foreign service—as they do in affairs generally—than book learning without the qualities I refer to.

Mr. SHARP. Meaning common-sense judgment?

Mr. WILSON. Yes, sir. That which they can not learn out of books; and that oral part of the examination, which is very exhaustively done, counts one-half. Each member of the board of examiners keeps a separate record. There are a great many qualities to determine. Each man is marked separately by each examiner, and then the board of examiners discuss each man separately, and they finally reach a unanimous judgment as to what they judge him to be in all of these respects, and then they mark him on his oral examination. Another thing that the oral examination covers is what is going on in the world, what an intelligent, wide-awake man who is interested in his own country particularly, and in the world generally, would know about things that are before the intelligent people of the world.

Mr. SHARP. Current topics?

Mr. WILSON. Yes; it covers that as well.

Mr. GARNER. You seek to substitute a law, then, by this bill to take the place of an Executive order; is that it?

Mr. WILSON. All that the bill introduced by Mr. Sulzer does is to perpetuate and give the mandate of law to the existing methods of examination, and also to the keeping of efficiency records, which is prescribed for the departmental officials as well in the Executive order of 1909, and to make it mandatory upon the Secretary of State to report to the President from time to time, after examinations, the names and records of those whom the examination shows to be fitted for appointment as secretary of embassy or legation, or to a consular post, or as a student interpreter, or as a consular assistant, and the names and records of those in the service whose efficiency records will show that they are in line for promotion.

Stopping there, the Sulzer bill relies upon the moral effect of the backing of the business interests of the whole country, who realize the importance of a trained foreign service, and upon the moral force of this mandate from Congress, to hold up the hands of any President against pressure and make it easier for him to continue to run the service on a strictly merit principle.

Mr. GOODWIN. Does this bill seek to become a counterpart to the system now in vogue in Germany, largely, and to a certain extent which is the custom of the British Government, to have representatives in different countries of the world report to their respective governments as to the commercial outlook for the sale of their wares and merchandise, and where there is a certain demand for certain goods, and as to how those goods should be made, and how they should be boxed and shipped out, and all of that? You know we need something along that line largely because of the strong competition we have to meet. I notice the British think themselves behind even this country, which I do not think is the case with Germany, the latter country, of course, outstripping the world, it having its agents ramify into every nook and corner of the globe, in quest of trade, and all that.

Mr. COOPER. It seems to me that I read very recently that Germany was copying our consular reports, and that we were taking the initiative and leading in that in a general way.

Mr. WILSON. Yes; we are not getting much credit for it in all parts of the United States, and notably on this hill, but it is a fact that both in Great Britain and Germany there has been considerable criticism of their foreign service, in comparison, flattering to our own.

Statement of Mr. W. B. Campbell, representing the Chamber of Commerce of Cincinnati, Ohio:

I represent the Chamber of Commerce of Cincinnati; I am also representing the American Manufacturers' Export Association, of which I have the honor to be president. I simply come here to represent those two bodies, and to say that we approve of this bill, as we have already shown by resolutions which I have placed in your chairman's hands, and that we urged upon you the necessity for its early passage.

This bill is peculiar in that it does not carry any money with it. In addition to that it is not anything new or untried, as I understand it. In fact, the examination has been required now for a period of eight years, and the results

must be apparent to any man who, like myself, has had 10 years' experience as a foreign commercial salesman.

This bill is an economy. I read some time ago in our great journal of information, the *Saturday Evening Post*, that the German Government has spent more money in their consular office than we spend in our Department of Commerce and Labor, which I do not think is to the credit of the German Government. If we send out the right men, it is an economy.

I will tell you the main reason why I think this bill should be passed. We are in the middle of a period of great enthusiasm over the growth of our export business. The reason for that is not hard to find. We have been in the middle of a depression at home. Right now I do not believe it would be possible to appoint unworthy men, but the reason for that is that the merchants of the United States—my own association, the National Association of Manufacturers—watch carefully every point. But when we come to the time again, which I hope we are coming to, of great prosperity at home—when it is almost impossible to bring our manufacturers and merchants to a great interest in the export trade—wouldn't it be better to have this thing well understood than to have the appointments made as they were made 10 or 15 years ago?

Hon. Henry White said:

I think it is of the highest importance that the service should be classified in the way that is set forth in the bill. I have never been able to see any reason why the secretaries of embassies and consuls should not be put in certain classes, just as the officers of the Army and Navy are. I have many times in my life seen serious inconvenience arise from the fact that a secretary or a consul could not be transferred from one post to another. Sometimes there is great pressure of work and sometimes very little; a consul never can tell when he has got to do his work. It is very desirable that the Secretary of State should be able to transfer, immediately and without asking the Senate, a secretary for a short time.

Mr. Welding Ring, speaking for the New York Chamber of Commerce, said:

I come here as the representative of the New York Chamber of Commerce. I am chairman of the committee on foreign affairs of that chamber, and we have taken a very great interest in this bill introduced by Congressman Sulzer. At a recent meeting I introduced a resolution, which was unanimously passed, in support of the bill. There was no opposition to it, and the remarks that were made in connection with the bill when it was introduced in the chamber indicated that it was entirely satisfactory to our members, and there were no criticisms when the resolution indorsing it was introduced.

I can say for the members of the chamber that as far as I have come in contact with them, and I have discussed this matter quite extensively, that there is not one of them but realizes the necessity of making our Consular Service better than it is at present. We all admit that there has been a very great improvement in recent years, but there is still room for greater improvement. It has been my privilege and duty to travel very extensively during recent years through the Far East and also through Europe, and I have been brought in contact with quite a number of our representatives. In the larger cities, the larger ports, they have been men of character and ability, and it was a pleasure to meet them. In some of the smaller places I must say that they were not men that reflected any credit on the United States.

Chambers of commerce, boards of trade, and business associations throughout the country are asking Congress to give its approval to this bill, as witness the following resolutions, selected from many on file with the committee:

EXTRACTS FROM THE MINUTES OF A QUARTERLY MEETING OF THE PHILADELPHIA BOARD OF TRADE, HELD MARCH 18, 1912.

Whereas the Diplomatic and Consular Services of the great nations are factors of the first importance in the struggle for commercial supremacy; and  
Whereas the President of the United States, by Executive orders under date of June 27, 1906, and November 26, 1909, applied civil-service principles to the Diplomatic and Consular Service; and



Whereas it is recognized that the application of these principles has been conducive to great improvement in the services; and  
Whereas Hon. William Sulzer, chairman of the Committee on Foreign Affairs, has introduced a bill giving legislative sanction to the existing Executive regulations governing appointments and promotions in the Diplomatic and Consular Service:  
Therefore

*Resolved*, That the Philadelphia Board of Trade earnestly petitions Congress to enact as law House bill No. 20044, being "A bill for the improvement of the foreign service."

True copy.

[SEAL.]

Attest:

EDWARD R. WOOD,  
*First Vice President Philadelphia Board of Trade.*

W. R. TUCKER, *Secretary.*

NEW YORK BOARD OF TRADE AND TRANSPORTATION,  
*New York, March 13, 1912.*

At the monthly meeting of the New York Board of Trade and Transportation held this day, Lindsay Russell, Esq., chairman of the committee on foreign and insular trade, reported favorably the following preamble and resolution, and it was unanimously adopted:

Whereas a bill has been introduced by Congressman Sulzer, chairman of the Committee on Foreign Affairs of the House of Representatives, H. R. No. 20044, entitled "A bill for the improvement of the foreign service," and this bill, if enacted, would give the additional force of a statute to the Executive order of President Roosevelt dated June 27, 1906, relating to the Consular Service, and would give like additional force to the Executive order of President Taft, dated November 26, 1909, relating to the Diplomatic Service, and the said Sulzer bill is approved by the Department of State; and

Whereas the said bill, if enacted, would provide the President of the United States a list of those who, by reason of efficient service, have demonstrated special efficiency, and also the names of persons found upon examination to have fitness for appointment to the lower grades of the foreign service; would create a board of examiners for the Diplomatic Service and one for the Consular Service; would grade the secretaryships of the Diplomatic Service substantially as the Consular Service is now graded; would provide for appointments to grades instead of to places in the Consular Service and of secretary in the Diplomatic Service; and would prescribe the scope and method of the examinations for these services: Therefore

*Resolved*, That the New York Board of Trade and Transportation most heartily approves the purposes of H. R. bill No. 20044, introduced by Mr. Sulzer, "For the improvement of the foreign service," and respectfully petitions the Senate and House of Representatives to pass the said bill.

A true copy.

WILLIAM H. GIBSON,  
*Vice President and Acting President.*

Attest:

[SEAL.]

FRANK S. GARDNER,  
*Secretary.*

NEWARK, N. J., *March 23, 1912.*

HON. WILLIAM SULZER,  
*Washington, D. C.*

DEAR SIR: By a unanimous vote at the regular meeting of this body, at which 150 business men were present, the provisions of H. R. 20044, introduced by Hon. William Sulzer, was accorded full indorsement, and it was voted to petition for its enactment at this session.

It was voted to communicate with the Members of the House and Senate from New Jersey to urge their cooperation and to request their support in favor of its enactment.

Respectfully,

BOARD OF TRADE OF THE CITY OF NEWARK.  
JAS. M. KELLEY, *Secretary.*

MASSACHUSETTS STATE BOARD OF TRADE,  
*Boston, March 23, 1912.*

Hon. WILLIAM SULZER,  
*Chairman Committee on Foreign Affairs.*

DEAR SIR: At a meeting of the Massachusetts State Board of Trade in executive council held March 13, 1912, the following vote was unanimously passed:

"Voted, that the Massachusetts State Board of Trade, being especially interested in the improvement and extension of the commerce of the United States with foreign countries and in the development of an efficient foreign service capable of rendering substantial assistance to American manufacturers and exporters, approves of the passage of House Bill No. 20044, which it believes will lay the foundation for still further improvement in the future, and it asks the hearty cooperation of the Massachusetts Senators and Representatives in the effort to secure the passage of this bill."

Yours, very truly,

RICHARD L. GAY, *Secretary.*

---

BOARD OF TRADE OF KANSAS CITY, Mo.,  
*Kansas City, Mo., March 19, 1912.*

Hon. WILLIAM SULZER, M. C.,  
*Chairman Committee on Foreign Affairs, Washington, D. C.*

DEAR SIR: The following resolutions were adopted by this board of trade at a recent meeting:

Whereas in response to the growing demand on the part of the American people for the best service in all departments of national life, the President of the United States, by Executive orders, under date of June 27, 1906, and November 26, 1909, applied civil-service principles to the Diplomatic and Consular Service; and

Whereas sundry bills have been presented to Congress since 1906 for the enactment into law of the aforesaid Executive orders: Now, therefore,

The Board of Trade of Kansas City, Mo., petitions the Congress of the United States to promptly enact a law which shall provide for the application of civil-service principles to the Diplomatic and Consular Service of the United States; and

*Further,* That due consideration may be given the question of adequate pensions for the retired diplomatic and consular officers in order that men of high character and ability may be attracted to the responsible and honorable career of representing our country abroad and definitely adopting such service as their life work.

Yours, respectfully,

E. D. BIGELOW, *Secretary.*

---

CHAMBER OF COMMERCE OF THE STATE OF NEW YORK,  
*New York, April 5, 1912.*

DEAR SIR: I take great pleasure in sending to you inclosed preamble and resolution adopted by the chamber of commerce at its meeting on Thursday, April 4, indorsing the Sulzer bill (H. R. 20044) for the further improvement of the Consular Service.

Yours, very truly,

SERENO S. PRATT,  
*Secretary.*

Hon. WILLIAM SULZER,  
*House of Representatives, Washington, D. C.*

---

Whereas the Sulzer bill (H. R. 20044), entitled "A bill for the improvement of the foreign service," is in harmony with the recommendations of President Taft and of his Secretary of State, and embodies the principles advocated by this chamber during many years; and

Whereas it seeks to make permanent the great improvement already brought about in the Diplomatic and Consular Service, and to lay the foundation for further improvement in the future by giving legislative sanction to the existing executive regulations governing appointments and promotions in that service, thus increasing that efficiency necessary for the promotion of our foreign trade: Therefore be it



*Resolved*, That the Chamber of Commerce of the State of New York heartily indorses House bill 20044 providing for examinations to test the fitness of persons seeking appointment and promotion in certain grades of the Diplomatic and Consular Service, and urges the Representatives of this State in both branches of Congress to give to the bill their earnest support.

**RESOLUTIONS ADOPTED AT A MEETING OF THE BOARD OF MANAGERS OF THE NEW YORK PRODUCE EXCHANGE, HELD MARCH 7, 1912.**

Whereas the members of the New York Produce Exchange, being largely interested in export trade, are vitally concerned in the efficiency of the foreign Diplomatic and Consular Service maintained by the United States: Be it

*Resolved*, That the board of managers of the New York Produce Exchange hereby indorses House bill 20044, introduced by the Hon. William Sulzer, providing for various improvements of the foreign service, and strongly urge prompt and favorable action on this bill, believing that its provisions will materially and permanently increase the value of this service.

*Resolved*, That copies of this preamble and resolution be forwarded to the chairman of the Committee on Foreign Affairs, House of Representatives; to the chairman of the Committee on Foreign Relations of the United States Senate; and to the Secretary of State.

---

THE CINCINNATI COMMERCIAL ASSOCIATION,  
April 2, 1912.

HON. WILLIAM SULZER,  
*House of Representatives, Washington, D. C.:*

The foreign-trade expansion committee of the Cincinnati Commercial Association, an organization of 1,500 business men in this city, urge passage of bill for improvement of foreign service, being House bill 20044. We feel the salaries provided are inadequate, and urge amendment of this section if possible.

A. P. HAGEMEYER, *Chairman*.

---

**RESOLUTIONS OF AMERICAN MANUFACTURERS' EXPORT ASSOCIATION ON HOUSE BILL 20044, "A BILL FOR THE IMPROVEMENT OF THE FOREIGN SERVICE."**

Whereas the attention of the American Manufacturers' Export Association has been called to the provisions contained in House bill 20044, entitled "A bill for the improvement of the foreign service," which bill is now in the hands of the Committee on Foreign Affairs in the House of Representatives; and

Whereas the members of the board of directors of the American Manufacturers' Export Association have made a careful perusal and study of provisions of said bill; and

Whereas the said directors of the American Manufacturers' Export Association have noted with pride the vast improvements in the Consular Service of the United States, as in the past 10 years, which improvements (it is their belief) is largely caused by the adoption of rules on the part of the State Department along the lines which it is now proposed to make permanent by the enactment of this House bill 20044; and

Whereas the increased complication of American foreign business and multiplicity of articles now exported in distinction to the few articles exported many years ago, makes it necessary that better men be employed both by the manufacturers and by the Government in the introduction of these articles abroad and the proper development of the foreign markets; and

Whereas the provisions of this bill will practically remove the Consular Service from political activity and will assure permanency of position to capable men once they have entered the Consular Service without regard to what political party may be in power; and

Whereas it is the belief of the board of directors that all the provisions in this bill, will work to the permanent establishment of the beneficial policy now pursued by the State Department with regard to the Consular and Diplomatic Service and will establish these beneficial methods as law of the Nation instead of the rulings of the Secretary of State, which rulings could be changed by any future Secretary of State: Now, therefore, be it



*Resolved.* That the directors of the American Manufacturers' Export Association, in the name of its membership, hereby indorse said House bill 20044, entitled "A bill for improvement of foreign service," and ask that it be favorably reported from the Committee on Foreign Affairs, and strongly urge its passage by the House of Representatives and Senate; and be it further

*Resolved.* That copies of these resolutions shall be sent to the Committee on Foreign Affairs, all Members of the House of Representatives and the Senate of the United States.

AMERICAN MANUFACTURERS' EXPORT ASSOCIATION.

W. B. CAMPBELL, *President*,

*For the Board of Directors.*

#### A FEW LEADING EDITORIALS.

There can be no genuine opposition to the enactment of this proposed legislation. If the public press reflects the sentiment of the business interests of the country—and we believe it does—there is no mistaking what the people want. Can Congress afford to ignore the expressed wish of the public? There must be some good cause to set aside this strong public opinion. A glance at the following editorials leaves no room for doubt. No artificial or flimsy excuse by Congress can successfully meet the appeal of the Nation, as these leading editorials, selected from many, clearly demonstrate:

[Editorial from the Journal of Commerce, New York, Mar. 19, 1912.]

#### GOVERNMENTAL PROMOTION OF COMMERCE.

As a general proposition, it may be safely affirmed that the more interest the executive departments of the Government of the United States take in the promotion of the commerce of the Nation, the better they will discharge their duty to the people. Thus, when the Acting Secretary of State invokes the support of the commercial organizations of the land for the bill introduced by Representative Sulzer, with the declared purpose of improving the foreign service, he makes an appeal which touches a wide range of business and industrial interests. For the Sulzer bill is merely a new form of the Lowden bill, and is rightly characterized as an embodiment of "principles for which the commercial organizations of the country have been contending for a number of years." The bill is intended to give legislative sanction to the existing executive regulations governing appointments and promotions in the Diplomatic and Consular Service, to make permanent the great improvement already effected, and to lay the foundation for further improvement in the future—in short, to head off the danger of letting the Consular Service relapse into the old vicious ruts of partisan politics. It need hardly be said that while the highest consular places continue to be reserved for incumbents whose main qualification is their usefulness to a political party, the service will not hold very powerful inducements for the best men to select it as a career. Important as have been the gains which by successive Executive orders have been made in establishing a uniform rule of fitness in the service, no President or Secretary of State has yet been able to keep its prizes from being clutched by the politicians. But it is something to have made "efficiency as the only basis of promotion," in the majority of cases, and the passage of the Sulzer bill will greatly strengthen the hands of the Executive in the endeavor to make it the sole qualification in every case.

So, too, the Secretary of Commerce and Labor, with the aid of the President, is engaged in a highly laudable effort when he invites the various commercial bodies of the country to form a national organization of a thoroughly representative character, to which the executive officers of the Government could turn for advice and guidance in matters relating to trade and industry. Secretary Nagel's predecessor, Mr. Straus, made a similar attempt, but failed, because he began to organize from above instead of from below. In his message of December 7 President Taft gave the first impetus to this new movement by expressing a belief that it would be of great value to have "some central organization in touch with the associations and chambers of commerce throughout the country, and able to keep purely American interests closely in touch with commercial



affairs." The President says that this statement was prompted by suggestions received from representatives of commercial and industrial interests in all parts of the country. And it seemed to him to be obvious that such an organization as he had suggested might be instrumental in a very large field to aid and assist the executive and legislative branches of the Government in the intelligent and impartial development of domestic and foreign trade. It could be of assistance in giving advice in regard to proposed new legislation and in counseling representatives of the executive branch when asked to submit recommendations upon bills introduced and pending before committees. Such an organization would, moreover, be in the best possible position to suggest fields for new inquiry at home and abroad, the methods by which such inquiries should be pursued, and the means by which their results could be most advantageously brought to the attention of merchants and manufacturers. Acting on the President's recommendation, the Secretary of the Department of Commerce and Labor has called a meeting of the representative commercial and industrial associations of the United States for April 15 in the city of Washington.

The question of the method of organization will naturally be the most important subject of discussion for this April conference. It has been suggested that the membership of the national association should consist of chambers of commerce, boards of trade, and kindred associations which are democratic in their character and broadly representative of the commercial interests of the districts which they serve, as well as of such trade and industrial organizations as are national in their scope. Representation in the national association would necessarily be based on the numerical strength of the constituent organizations with a limit to the number of delegates which the larger organizations could be allowed to appoint. There would necessarily have to be an advisory committee and a permanent board of directors to keep in touch with the questions demanding the attention of the organization and to direct the activity of the executive secretary in charge of the permanent headquarters in Washington. Of course everything would depend on the breadth of view and the commercial experience which would govern the policy of such an organization. Its activity might become the reverse of beneficial were it permitted to become the center of agitation for special privileges or governmental subventions for any form of commercial or industrial enterprise. Germany is, of course, the standing illustration of the affiliation of business organizations with the Government, and the claim has been confidently made that the development of the business of the United States has been seriously impeded by a lack of such coordination of effort. Be that as it may, there can be no question about the value of providing a kind of national clearing house for the development and expression of business opinion and for insuring united action upon questions of common interest in every part of the country. So long as the men at the head of such an organization do not lose sight of the fact that the chief impediment to the development of our foreign commerce is the system of reduplicated taxation which hampers every branch of American manufacture when brought into competition with that of another country enjoying greater industrial freedom, they can unquestionably do effective work in removing some of the minor impediments, and possibly in bringing about a clearer perception of the direction in which permanent expansion must be sought.

---

[Editorial from Bradstreets, New York, Mar. 16, 1912.]

#### IMPROVING THE FOREIGN SERVICE.

There is, we believe, general concurrence in the belief that there has been in recent years a distinct improvement in the organization of the foreign service of the United States. A powerful impulse in the direction of improving conditions in the great body of the foreign service, both diplomatic and consular, was given by Senator Root when he filled the office of Secretary of State, and his successor, Secretary Knox, has brought a similar spirit to the administration of this branch of the Federal service. In his message of December 7 last, in which he dealt with the foreign relations of the United States, President Taft directed attention to the fact that the men selected for appointment by means of the existing Executive regulations, making a partial application of civil-service rules to the Diplomatic and Consular Service, have been of a far higher average of intelligence and ability than the men appointed before the



regulations were promulgated. He declared, moreover, that the feeling that under the existing rules there is reasonable hope for permanence of tenure during good behavior and for promotion for meritorious service has served to bring about a zealous activity in the interests of the country which never before existed or could exist.

A further step in the direction of improving the foreign service is now proposed in a bill introduced by Mr. Sulzer, the chairman of the House Committee on Foreign Affairs. This bill provides that the President may make all appointments of secretaries in the Diplomatic Service and of consuls general and consuls to grades instead of to places, subject to the advice and consent of the Senate in each case. It directs the Secretary of State to report from time to time to the President, along with his recommendations for promotion, or for transfer between the department and the foreign service, the names of those secretaries in the Diplomatic Service and the names of those consular officers or departmental officers or employees who, by reason of efficient service, an accurate record of which shall be kept in the Department of State, have demonstrated special efficiency, and also the names of persons found upon examination to have fitness for appointment to the lower grades of the service. The secretaryships in the Diplomatic Service are graded and classified, and boards of examiners for that service and for the Consular Service are established, consisting of officers of those services in conjunction with officers designated by the Civil Service Commission.

The scope and method of the examinations is to be determined by the boards of examiners, but the examinations must include business experience and ability, the resources and commerce of the United States with special reference to the development of export trade, international, commercial, and maritime law and history, American history, government, and institutions, and one language other than English. The examinations are to be held annually, and to be conducted with strict impartiality, and without regard to the political or other affiliations of any candidate. The reports of the boards of examiners are to be made public, and at the same time the Secretary of State is required to make a public statement of the proportional representation of the different States and Territories in the foreign service.

This is a measure which should be placed upon the statute book. It aims to build a foreign service whose personnel will be trained and capable and in which efficiency will be the only basis for promotion. One of its results will be that the names of persons who have demonstrated their efficiency will be brought to the attention of the Chief Executive when recommendations for appointments or promotions are submitted to him. Its enactment is advocated by the State Department for the reasons that it would give legislative sanction to the existing Executive regulations governing appointments and promotions in the Diplomatic and Consular Service, make permanent the great improvement already brought about, and lay the foundation for still further improvement in the future. The measure should receive the hearty indorsement of business men, because it promises the development of an increased degree of ability and efficiency in the governmental agencies through which the growing foreign commerce of the country will be promoted and protected, while it affords the promise of a secure career for young men of character and attainments in a most useful and important service where merit will be the test of advancement.

---

[Editorial from Harper's Weekly, Mar. 23, 1912.]

#### TO IMPROVE THE FOREIGN SERVICE.

Mr. Sulzer's bill "for the improvement of the foreign service," introduced in the House on February 13, is one in which readers of the Weekly are likely to be interested and will perhaps join us in urging upon the attention of Congress. By the reorganization act of 1906 Congress classified the posts of the Consular Service in nine grades of consulates and six grades of consulates general, abolished compensation by fees, substituting salaries ranging from \$2,000 to \$12,000, and provided a corps of five consular inspectors, who inspect every post at intervals of two years.

This bill was good as far as it went, but made no provision for appointments to the service or tenure in office. In June, 1906, President Roosevelt, by an Executive order, promulgated regulations for admission to the Consular Service



which have had the effect of making it a civil service in fact as well as in name. President Taft has not disturbed this order and, under it, appointments to the service are now made after careful examination of the candidates. If successful they are appointed to a class 8 or class 9 consulate (posts carrying salaries of \$2,500 and \$2,000, respectively). All vacancies in posts of higher grades are filled by promotion from the ranks. Political affiliations are not considered.

This method of manning the Consular Service has had excellent results, but it is liable to be upset at any time by Executive order, and Mr. Sulzer's bill aims to give permanence by legislative enactment. Training and experience are very valuable in consuls, and efficient consuls are considerably and increasingly valuable to American trade. If capable men are to continue to be attached to that service it must be made to offer them a career as secure as is offered in the Army or the Navy. If Congress takes such action as Mr. Sulzer's bill invites that end will be considerably furthered on its way toward attainment.

---

[Editorial from the Press, New York, Mar. 14, 1912.]

#### SULZER'S FOREIGN SERVICE BILL.

Representative Sulzer's bill for the improvement of the foreign service of the United States is one of those few legislative measures upon which there is no party division, but in regard to which the line-up finds on one side those in both parties who aim for governmental efficiency, and in opposition the spoils-men of whatever profession of faith.

The State Department, through Acting Secretary Wilson, assures us that the Sulzer bill would mean the development of a foreign service capable of giving substantial assistance to American manufacturers and exporters. Its enactment would provide legislative sanction for the existing Executive regulations governing appointments and promotions in the Diplomatic and Consular Service, make permanent the great improvement already brought about, and lay the basis for further betterment.

Principles for which the commercial bodies of the country have contended for years are embodied in Representative Sulzer's measure. It harmonizes with Presidential and State Department recommendations, and if anything in its scheme is unsound nobody has discovered it. If the Sulzer bill were passed these benefits would be insured.

Consideration of the political affiliations of candidates would be prohibited.

Successful passing of the prescribed examinations would be legally recognized as a prerequisite for foreign service appointments.

Efficiency would be the only basis for promotion.

Special efficiency of diplomatic secretaries, of consular officers, of departmental officers and employees, and of all persons who have passed the prescribed examinations would be brought to the attention of the President when recommendations for first appointments, promotions, and transfers are submitted to him.

Efficiency records would be kept of diplomatic secretaries, of consular officers, and of officers and clerks of the Department of State.

Proportional representation of the several States and Territories in the foreign service would be published at the close of each examination.

Diplomatic secretaries and consuls would be appointed to grades instead of to specified posts.

Orderly promotion would be made possible by the grading of diplomatic secretaryships.

The scope and frequency of examinations would be legally established.

Examining boards would be legally established.

Reports of the examining boards would be in writing and would be published.

The constitutional provision requiring the concurrence of the Senate to make the appointment of diplomatic and consular officers effective would not be changed.

Mr. Sulzer's long experience in the House and his equipment to deal with this subject as chairman of the Committee on Foreign Affairs make it unlikely that the schemes of his bill could be anything but advantageous to the diplomatic and commercial interests of the United States abroad. It is fully in line with the tendency to establish the business of government on a business basis and take it as far as possible out of petty politics.



[Editorial from the Inquirer, Philadelphia, Pa., Mar. 14, 1912.]

TO IMPROVE THE FOREIGN SERVICE.

Representative Sulzer has introduced a bill "for the improvement of the foreign service" which responds to the requirements of the situation in view, which conforms to the recommendations of the President and the Secretary of State, and which ought without any undue delay to be enacted into law. It is intended to increase and secure the efficiency of the Consular and Diplomatic Service by definitively taking it out of politics and establishing it upon a business basis. To this end it proposes that all appointments of secretaries in the Diplomatic Service, and of consul generals and consuls, shall be made by the President to grades instead of places, subject, of course, in every instance to the advice and consent of the Senate. To this end it directs the Secretary of State to report to the President from time to time the names of those who on their records deserve promotion, and also the names of such as shall upon examination have proved their fitness for appointment to the lower grades.

It provides for the organization of two examining boards, one for the diplomatic department, to consist of an Assistant Secretary of State, a representative of the Civil Service Commission, a law officer of the State Department, and of one other officer whom the Secretary of State is to name, and another for the Consular Service to be composed of the administrator of the service, of the chiefs of the Consular and Trade Relations Bureaus, and of one other person to be designated by the Civil Service Commission. The examinations, which are to be held at least once a year, are to be comprehensive in their scope and practical in their character. They are to be conducted with strict impartiality and without regard to the political or other affiliations of the candidate, and their result, which must be made public, is to be certified to the Secretary of State, who will in this way be furnished with a list of persons, who have in the manner prescribed demonstrated their eligibility, from which to make his recommendations.

It will be understood that the object and effect of all this will be to base appointments on fitness instead of influence; to make sure that appointees shall be qualified to discharge their duties with a maximum measure of ability; and by removing them from the hazard of arbitrary removal and conditioning their advancement exclusively on merit, to convert employment in the two services in question into a career which will attract and retain a superior class of men. There is no room for two opinions as to the great desirability of this reform. A beginning in its achievement has already been made through the spontaneous and voluntary initiative of the President and of the State Department. It has been felt that the foreign interests of the United States could only be properly protected and promoted through the instrumentality of trained men holding their offices on good behavior and assured of a promotion in accordance with their deserts; and to an important degree the principle which the Sulzer bill embodies has been successfully applied.

At present, however, the continuance of the reformed system rests entirely with the Executive, and the desideratum is to give it the sanction and the binding force of law. This will be accomplished by the passage of the present measure, and in this way the United States will secure an equipment for the development of its foreign trade comparable with that possessed by every first-class European power, an equipment which is indispensable to the acquisition by this country of its due share of business in the markets of the world.

---

[Editorial from the Post-Express, Rochester, N. Y., Mar. 16, 1912.]

IMPROVING THE FOREIGN SERVICE.

The bill for the improvement of the foreign service, introduced by Representative Sulzer, chairman of the Committee on Foreign Affairs in the House, should be passed. It aims to give legal effect to a system already introduced by the President, through Executive orders, under which appointments and promotions in the Diplomatic and Consular Service are made from those whose fitness has been established by adequate tests. Great improvement has been brought about, and this will be made permanent if the pending bill becomes a law. The measure provides for keeping the foreign service on a business basis, and its principles are approved by the leading commercial organizations of the



country. It prohibits consideration of political affiliations of candidates and provides that successful passing of the prescribed examinations shall be legally recognized as a prerequisite for appointment. Efficiency is to be the only basis for promotion. One of the best features of the bill is its provision for keeping efficiency records of diplomatic secretaries, consular officers, and officers and clerks of the Department of State. These records would, of course, be a great help to the President when appointments, promotions, and transfers were under consideration. Diplomatic secretaries and consuls would be appointed to grades instead of to specified posts, and orderly promotion would be made possible by the grading of diplomatic secretaryships.

The interest of commercial bodies in the reform which this bill aims to make permanent is easily understood. As foreign trade increases it becomes more and more important that those who represent this country abroad be chosen because of their fitness for the work to be done rather than because they belong to one or another political party. Experience does not encourage the belief that the business of government will ever be removed altogether from the field of politics, but politics should have no place in the foreign service, which ought to be on a strictly business basis. The Sulzer bill, establishing principles which already have been applied by President Taft, is supported by the State and Treasury Departments. There is nothing radical about it, and it is not likely to be opposed by any persons who believe that the conduct of the foreign service should be businesslike. If spoilsmen oppose it, their opposition will strengthen the belief that it should be passed. Of course nothing in the bill changes the requirement that in order to be effective appointment of diplomatic and consular officers must be approved by the Senate.

---

[Editorial from the Evening News, Buffalo, N. Y., Mar. 18, 1912.]

#### THE SULZER CONSULAR BILL.

Congressman Sulzer is adding to the long list of notable services that he has performed by a bill to put the Diplomatic and Consular Service on the right footing by law. President Roosevelt made a good start with Secretary Root at his right hand to organize and push the reform that should give the United States a service that compares favorably with the like service of other countries.

President Taft has rigidly enforced the merit system, but another President, less zealous for efficiency in service, may reverse that policy at any time, or Congress may get into a quarrel with the Executive and withhold appropriation.

The Sulzer bill provides that there must be a passing of examinations in order to qualify any applicant for appointment in the foreign service; that efficiency is the only basis for promotion, judged by records which shall be kept, and that secretaries and consuls be appointed to grades instead of the specified posts; that there need be legally established examining boards with reports in writing and published, and these provisions not to conflict with the constitutional provision that the Senate concur in appointment of diplomatic and consular officers.

The bill is highly indorsed by the State Department. It is favored by everyone who has regard for the interests of our country abroad, especially its commercial interests. It may be regarded, and perhaps it should be regarded, as part of that dollar diplomacy which has come to the front so strongly under the leadership of President Taft and Secretary Knox.

But it is certain that until men may make the Consular Service a career for which they may qualify themselves by travel and study and experience, we shall not have a service that compares at all well with our rivals, and the business of American industry will suffer in proportion, as it has heretofore.

Much improvement has been made in practice. It is time now that public opinion, being more enlightened, shall virtually compel Congress to take a forward step so as to put the service on a permanent basis of merit and honor. Where that is done it will be no longer true that our Consular Service is inferior to that of England or France or Germany.

In native endowment our officials surpass those of any other nation, but the shiftings of politics, the necessities sometimes of pull, and other things which are too well known to need mention, affect the service to its very serious harm. The Sulzer bill is planned to remove all the objections which have prevailed heretofore and to work a change of the highest benefit to the Nation.

[Editorial from the Argus, Albany, N. Y., Mar 18, 1912.]

#### THE DIPLOMATIC SERVICE.

It is a common knowledge that admission to the diplomatic service of the United States depends to a considerable extent on social influence. If a young man is backed by wealth and society he stands an excellent chance of being made a secretary of legation, and his promotion thereafter also depends much on this same backing. He may not be fitted for the position, but that makes little difference. There was a time when even our consuls got their posts principally to gratify the social ambitions of their wives, but there has been of late years some improvement in this direction.

Representative Sulzer, of New York, of the House Committee on Foreign Affairs, has introduced in Congress a bill designed to make appointments to and promotions in the diplomatic service dependent more on merit than social influence. Such a measure has long been needed, and it is to be hoped that it will become a law. It provides for a rigid examination of applicants for admission to the service, and debars anyone who can not pass it. Then, too, after a man gets into the service a record of his work will be kept, and, if his name is sent up for promotion, the Secretary of State will be required to put before the President a statement of his record, and to make it public. The bill proposes that the positions in the diplomatic service be graded into classes, and a salary fixed for each class, so that there can be no favoritism. Mr. Sulzer would have a board of examiners to pass upon all applicants for admission to the service, and one member of the board he would have a member of the Civil Service Commission.

If this plan becomes operative, it will result not only in a more efficient diplomatic service, but will give ambitious young men of ability, who may not have social or financial backing, an opportunity to enter the Government service that is now denied them. The bill is based on simple fairness, and is thoroughly in line with the principles of true democracy.

---

[Editorial from the Gazette, Altoona, Pa., Mar. 15, 1912.]

#### TO EXTEND COMMERCE.

It is refreshing to recognize the fact that not everybody about the National Halls of Legislation are engaged in playing politics and that there are those who are giving some attention to the promotion of projects to improve the commercial and industrial conditions of the Nation.

Among the bills recently introduced, is one by Representative Sulzer, of New York, chairman of the House Foreign Affairs Committee, whose aim is to extend the commerce of the United States with foreign countries and to develop an efficient foreign service, capable of rendering substantial assistance to American manufacturers and exporters.

Mr. Sulzer is a Democrat, but he works in entire harmony with the administration so far as concerns trade matters and general foreign affairs, believing that these should not be the subject of party differences. The bill referred to has the cordial approval of the State Department, being in harmony with the recommendations of the President and Secretary of State.

The bill embodies the principles for which the commercial organizations of the country have been contending for years, and it proposes to take all diplomatic and consular appointments out of politics and base them entirely on fitness. Undoubtedly our country has failed to get its fair share of trade, in many instances, because of the inefficiency of our consular representatives, compared with those of other nations, trained especially for that service. President Taft strongly recommended legislation of this character in one of his messages, and no doubt he hopes that Mr. Sulzer will be able to secure the support of a majority of the Members of the House for the passage of his bill.



[Editorial from the Star-Journal, Pueblo, Colo., Mar. 14, 1912.]

#### IMPROVEMENT OF AMERICAN CONSULAR SERVICE IS NEEDED.

Improvement of the United States Consular Service so that it may become a more effective agency for promoting American interests and American trade has been agitated for years, and efforts have been made at various times to bring about this improvement by proper legislation. but attempts to make efficiency and competency supplant the political system of appointment have been failures. Another effort to place the service on a higher plane is being made through the introduction of a bill by Congressman Sulzer of New York. The measure has the approval of the State Department and the President because it follows along lines advocated by the department.

The State Department is making an active effort to secure the passage of the Sulzer bill, and as part of the propaganda in its favor the Star-Journal is in receipt of a letter from Huntington Wilson, Acting Secretary of State, who says: "This bill is similar to that before the last Congress and known as the Lowden bill. Its enactment would give legislative sanction to the existing executive regulations governing appointments and promotions in the Diplomatic and Consular Service, make permanent the great improvement already brought about, and lay the foundation for still further improvement in the future. The Sulzer bill is in harmony with the recommendations of the President and of the Secretary of State, and embodies the principles for which the commercial organizations of the country have been contending for a number of years."

Under the Sulzer bill provision is made for appointments to the service by the President, with the sanction of the Senate, as at present, but provision is made for the holding of examinations to secure an eligible list. The Secretary of State is required to keep a record of the services of each person in the service, and promotions will be based upon this record, efficiency being the only basis for promotion, as the consideration of the political affiliations of candidates is prohibited. The bill also provides for the grading of positions, and under it all appointments would be made by grade instead of to specified posts, as at present. The constitutional provision requiring the concurrence of the Senate to make appointments in the Diplomatic and Consular Service is preserved and provision for an examining board is made.

Congressman Sulzer, author of the bill, is chairman of the Committee on Foreign Affairs and one of the leading Democrats of the House. The bill is a result of his long experience in Congress and his recognition of the fact that reform is needed to bring about the best results for this country. His bill would put the Diplomatic and Consular Service on a level with that of other countries and enable the United States to build up a service equal to that of England and Germany, where the men are especially trained for this important service. Foreign countries have well-trained diplomatic bodies because they select men especially qualified for the positions and keep them in the service for years, giving promotion when promotion is deserved. In the United States the service is regarded as the legitimate spoils of politics and too many appointments are made as a reward for political services. Many good men are secured under the system, but their services are lost to the country through changes in administration and at a time when they are becoming of great value to the country.

Greater permanency is needed in the service, and the only way to achieve this is to eliminate the political factor and make merit the base of the diplomatic structure. American trade conditions depend largely upon the worth and work of the Consular Service, and if this country is to compete successfully with its foreign rivals the service must be placed upon the highest possible plane. Under the present system men peculiarly qualified to hold positions are barred because they lack political influence. There is no incentive to aspire to these positions because of the uncertain tenure of office, but with the introduction of the reforms advocated by Congressman Sulzer and the State Department the field is opened to ambitious young men, who will be enabled to enter the service and by their application and attention to duties place themselves in position to attain the highest positions in the gift of the department. With a few years of trial of the new system its worth would be demonstrated. Congress owes it to the commercial interests and to the whole country to make the Sulzer bill a law and thus put the United States on an equality with the leading nations of the world.



[Editorial from the Times-Star, Cincinnati, Ohio, Mar. 15, 1912.]

#### THE DIPLOMATIC AND CONSULAR SERVICE.

Any plan that has for its purpose the making of the Diplomatic and Consular Service more useful, if perhaps less ornamental, merits and will receive general commendation.

The provisions that were contained in the Lowden bill, which was before the last Congress, have been incorporated in the pending House measure known as the Sulzer bill. This bill seeks to give legislative sanction to existing executive regulations concerning appointments and promotions in the service. It will give permanency to the reforms that have already been brought about and will lay the foundation for still further reforms.

"Dollar diplomacy," in all that the phrase signifies, has come to be most popular with the people of this country. They accept it as expressing a determination to employ the Diplomatic and Consular Service in building up the foreign trade. So much more has been accomplished in this direction since the policy of recognizing actual merit in making appointments and promotions was adopted that the proposal to make this policy a lasting one could not but meet with favor.

---

[Editorial from the Chronicle Telegraph, Pittsburgh, Pa., Mar. 15, 1912.]

#### CONSULAR SERVICE BILLS.

Two bills providing for improvement of the Consular Service are pending in Congress, the Nelson-Foss bill and the Sulzer bill. Discussing the merits of these measures, the Chicago News declares emphatically for the former, which, in addition to being backed by the National Business League, has the advantage—so regarded in Chicago—of being practically a Chicago product. The Sulzer bill is dismissed by the News as a "politician's milk-and-water measure," which is "merely permissive in its nature and is not well calculated to meet the needs of the situation."

Careful examination of the Sulzer bill, which happens to be the measure favored by the State Department, does not bear out the contemptuous estimate of our Chicago contemporary. There is visibly no warrant for condemning as ineffective a bill which provides specifically that all appointments of secretaries in the Diplomatic Service and of consuls general and consuls shall be to grades instead of to places; that efficiency shall be the sole basis of promotion; that the President shall be kept informed of the relative efficiency of candidates for promotion; that efficiency records be kept; that examining boards be legally established and the scope and frequency of examinations legally determined; and that the reports of the examining boards be in writing and be published.

The object of the Sulzer bill is to put the Consular Service on the same basis as the Army in the matter of appointments and promotions, and its provisions seem well calculated to insure the attainment of this end. The interest of the State Department in the measure could not be otherwise explained, since it is from that department that the demand for improvement emanates, and it is especially to the advantage of that department that the improvement should be genuine and effectual.

---

[Editorial from the Democrat and Chronicle, Rochester, N. Y., Mar. 16, 1912.]

#### DIPLOMATIC AND CONSULAR SERVICE.

There is pending in the House of Representatives at Washington a bill introduced by Representative Sulzer, of New York, that has for one object the improvement of the Diplomatic and Consular Service of the United States. Mr. Sulzer is chairman of the House Committee on Foreign Affairs, and his bill meets the wishes of the Department of State. It is similar to the measure known as the Lowden bill, which was before the Sixty-first Congress.

The Department of State desires to give legislative sanction to the existing executive regulations governing appointments and promotions in the Diplomatic and Consular Service, make permanent the great improvement already brought about, and lay the foundation for still further improvement. The bill em-



bodies the principles for which the commercial organizations of the country have been contending for several years.

If the Sulzer bill should be enacted, the consideration of political affiliations of candidates would be prohibited, it would be necessary to pass an examination to get an appointment, and efficiency would be the only basis for promotion. Orderly promotion would be made possible by the grading of diplomatic secretaryships. There are other provisions, all of which would aid in making the Diplomatic and Consular Service of the United States what it should be—the best in the world.

It is to be hoped that in the examinations the Department of State will insist upon a thorough knowledge of the English language by every candidate, both in speaking and writing. In examinations it is often assumed that if a candidate has an exhaustive knowledge of the technology of the position he desires his knowledge of the language will be sufficient for all needs, as, of course, every American knows his native language. Unfortunately, every American does not. Returning to the main theme, the Sulzer bill should be passed. The legislation is needed, and, being asked for, should be enacted.

---

[Editorial from the Outlook, New York, Mar. 30, 1912.]

#### THE CIVIL SERVICE AND FOREIGN APPOINTMENTS.

Last year Mr. Lowden introduced a bill into the House of Representatives to confirm by law that which now exists only by virtue of Executive order—that is to say, the necessity of examinations as precedent to appointments to the lowest grades of the Diplomatic and Consular Services and the promotion in those services by efficiency. Mr. Lowden's bill, we regret to say, did not pass. It has now been reintroduced in practically the same form by Mr. Sulzer, chairman of the House Committee on Foreign Affairs. If the bill passes it will be impossible for a reactionary President to appoint applicants as a reward for party services unless they stand the test of an examination, or, in the case of some inefficient favorite already in the service, to overlook the principle of efficiency as the only basis for promotion. If Members of Congress do not yet realize the moral value of thus affirming the merit system they should be able to understand that such a service permanently established by law would be of indubitable assistance to our manufacturers and exporters in extending their foreign trade. For years manufacturers and exporters have contended for this system. Hence, when the Acting Secretary of State invokes, as he has done, the support of the commercial organizations of the country for the bill now before the House he makes an appeal which must inevitably touch very many commercial interests.

---

[Editorial from the Dispatch, Columbus, Ohio, Mar. 16, 1912.]

#### CONSULAR APPOINTMENTS BY MERIT.

The effort of Mr. Sulzer, chairman of the House Committee on Foreign Affairs, to secure appointments to the foreign service solely on merit is to be commended. It is an expression of the desire of business men for a business service, as well as of officials and all others who believe that the Government ought to get what it pays for. Besides, if the pending bill is passed, it will give statutory support and stability to the present practice of the State and Treasury Departments.

If the bill becomes a law, there will be an end, so far as the foreign service is concerned, of the spoils system of appointments and promotions. The examinations will be legally established and the test of efficiency will be applied to all aspirants, none of whom will be admitted or denied admission to the service because of partisan affiliation. Secretaries, consular officers, and departmental officers will always, in the first instance, go to their places, or, later, will be transferred or promoted because of their capability for the work to which they are sent. As a result, the country will be more respected abroad and commercial intercourse will be promoted. What we may at any time learn of conditions abroad through the agency of an earnest and intelligent consular corps is illustrated in the reports that have for some years been made and by the special reports on the cost of living which have just been summarized by the President and transmitted to Congress for its guidance in legislation.



[Editorial from the Evening Post, New York City, Mar. 23, 1912.]

So many benefits would flow from the passage of the bill now under consideration by the Foreign Affairs Committee of the House to improve the organization of our Consular and Diplomatic Service that there ought to be no doubt of its passage during the present session of Congress. Nor is it only the inherent merits of the bill that encourage the hope that this will actually happen. Toward the state of things which the bill proposes to establish in a systematic way, there has now been for a series of years a steady approach in the actual practice of the State Department. Transfers and promotions within the service, on the basis of experience and proved ability, have, in an increasingly large proportion of cases, taken the place of the old method of haphazard appointment from outside, and of selection as a matter of personal favor or partisan reward. The essential feature of the bill is indicated in its first section:

"That the President may make all appointments of secretaries in the Diplomatic Service and of consuls general and consuls to grades instead of places, subject to the advice and consent of the Senate in each case."

Then follow sections prescribing the system of reports on efficient service, and of examinations as to qualifications, which are to form the basis of the organization of this graded service, as well as a definition of the grades themselves and the accompanying salaries. To make an appointment in the Consular or Diplomatic Service the stepping-stone to a career, as well as to secure fairly qualified appointees in the first place and to eliminate the spoils factor, is the object of the scheme; and so far have we got ahead that probably not a man will be found in Congress to attack the carefully thought-out method of examination proposed by trotting out any of the ancient jokes that used to be such favorites with the "practical" men.

---

[Editorial from the Wisconsin, Milwaukee, Wis., Mar. 21, 1912.]

#### "DOLLAR DIPLOMACY."

There have been sneering allusions in some quarters of late to "dollar diplomacy." Under the caption, "Governmental promotion of commerce," the New York Journal of Commerce publishes an article seemingly calculated to make level-headed Americans resent these sneers.

The article begins by observing that, as a general proposition, it may be safely affirmed that the more interest the executive departments of the Government of the United States take in the promotion of the commerce of the Nation the better they will discharge their duty to the people. It goes on to declare that when the Acting Secretary of State invokes the support of the commercial organizations of the land for the bill introduced by Representative Sulzer with the declared purpose of improving the foreign service, he makes an appeal which touches a wide range of business and industrial interests.

Why should not the business and industrial progress of the country be an especial concern of its diplomatic and consular representatives? As for the latter branch of the foreign service, is not the fostering of those interests legitimately one of the leading reasons why it is maintained?

Referring to the suggestion of the Acting Secretary of State, the Journal of Commerce adds:

"Germany is, of course, the standing illustration of the affiliation of business organizations with the Government, and the claim has been confidently made that the development of the business of the United States has been seriously impeded by a lack of such coordination of effort. Be that as it may, there can be no question about the value of providing a kind of national clearing house for the development and expression of business opinion, and for insuring united action upon questions of common interest in every part of the country."

The Sulzer bill is intended to give legislative sanction to the existing Executive regulations governing appointments and promotions in the Diplomatic and Consular Service, to make permanent the great improvement already effected, and to lay the foundation for further improvement in the future—in short, to head off the danger of letting the Consular Service relapse into the old vicious



ruts of partisan politics. It deserves the support of the Members of Congress, irrespective of faction or party. The same thing may be said of the effort of the Secretary of Commerce and Labor, cooperating with President Taft, to induce the commercial bodies of the country to form a national organization of a representative character to which the executive officers of the Government could turn for advice and guidance in matters relating to trade and industry.

The Secretary of Commerce and Labor has called a meeting of the representative commercial and industrial associations of the United States for April 15 in the city of Washington. It is to be hoped that the meeting will be well attended and will result in organization which will aid the Government in the efficient pursuit of the right kind of "dollar diplomacy."

---

[Editorial from the Sandusky Register, Wednesday, Mar. 20, 1912.]

#### OUR GROWING FOREIGN COMMERCE.

Attention has been repeatedly called in these columns to the extension of the commerce of the United States with foreign countries and the possibilities which are opening up for American manufactures and American products in countries with which heretofore the United States has had but little trade. The extension and permanent maintenance of our foreign commerce depend primarily upon an efficient foreign service, a corps of consuls, secretaries, and agents capable of rendering valuable information and substantial assistance at all times to American manufacturers and exporters and who encourage by every legitimate means possible our trade relations with the peoples of other lands.

More has been accomplished in this direction during the three years of President Taft's administration than in any like former period, but if this policy is to be successfully continued the Government's service in the foreign field must be strengthened and its efficiency steadily improved. A bill to this end has just been introduced in the lower House of Congress by Mr. Sulzer of New York, chairman of the Committee on Foreign Affairs, and it ought to pass. It is very much similar to the Lowden bill which was before the last Congress and which attracted a good deal of attention among manufacturers and shippers. In brief, the bill, which is recorded as House bill No. 20044, gives legislative sanction to existing Executive regulations governing appointments and promotions in the Diplomatic and Consular Service, makes permanent the improvement of the service already brought about, and lays the foundation for still further improvement. The bill is in entire accord with the recommendations which President Taft and Secretary of State Knox have made and embodies the principles for which the commercial organizations throughout the country have been contending for some years past. Its enactment would remove consideration of the political affiliations of candidates for the Diplomatic and Consular Service, and successful passing of the prescribed examinations would then be legally and rightfully recognized as the first and most important prerequisite for appointments. It also makes efficiency the basis for promotion, and not a political pull, and only those who show efficiency through examination for appointments would be brought to the attention of the President when recommendations are made for appointments for promotions or transfers. The bill compels the keeping of efficiency records for all officers and employees of the Department of State. In other words, it makes a real civil service vital, and in no department of the Government is it more needed than in the Diplomatic and Consular Service. It also enlarges the scope and frequency of examinations, gives them legal status, and makes possible the grading of diplomatic secretaryships, while at the same time it retains the constitutional provision which requires the concurrence of the Senate in making the appointments. Provision is made for equitable representation in the foreign service by the States and Territories, with publication of the representation at the close of each examination.

The Sulzer bill, should it become a law, would establish the merit system in our Diplomatic and Consular Service and would be a long step toward not only the maintenance but the enlargement of our commerce with other countries, with some of which the United States has never come into its own.



[Editorial from the Record-Herald, Chicago, Ill., Mar. 19, 1912.]

#### THE TWO FOREIGN-SERVICE BILLS.

Two bills for the improvement of the Diplomatic and Consular Service of the United States are before Congress. The one introduced by Representative Sulzer, chairman of the Committee on Foreign Affairs, is indorsed by Huntington Wilson, Acting Secretary of State, in a circular letter. Mr. Wilson says the bill "is in harmony with the recommendations of the President and of the Secretary of State."

This bill provides "that the President may make all appointments of secretaries in the Diplomatic Service and of consuls general and consuls to grades instead of places, subject to the advice and consent of the Senate in each case." The word "may" is used instead of "shall."

The Nelson-Foss bill, championed by Senator Nelson and Representative Foss, is more advanced and much stronger. "What would the President do about it?" is the natural question in considering the Sulzer bill. One President might bring about genuine civil service under its provisions; another might not. The commercial interests favor the better bill.

In view of the crying need of an effective merit system in the Diplomatic and Consular Service, there ought not to be any "may" in the vital clauses of the bill that becomes a law.

---

[Editorial from the Dispatch, Columbus, Ohio, Mar. 25, 1912.]

#### LIGHT ON "DOLLAR DIPLOMACY."

"Dollar diplomacy," is the opprobrious name for the effort at Washington to improve the Diplomatic and Consular Service and make it a real help in the extension of international trade. That seems laudable and unobjectionable, but it may be understood why some persons sneer at it when it is understood that to accomplish that end it is proposed to provide for the appointment to the service, not of party and personal favorites, but persons whose fitness for the work has been determined by an examination.

The Sulzer bill now pending thus limits appointments of secretaries in the Diplomatic Service, consuls general, and consuls, and provides for examinations including business experience and ability, the resources and commerce of the United States, with special reference to the development of export trade, international, commercial, and maritime law, and history. American history, government, and institutions, and one language other than English.

Should the bill pass a number of things would be insured. Consideration of the political affiliations of candidates would be prohibited; the successful passing of a prescribed examination would be legally recognized as a prerequisite for foreign-service appointments, and efficiency would be the only basis of promotion. There would be created a corps of public servants who would be efficient and helpful in the extension of trade and who, by aiding the producers of all commodities marketable abroad, would help all whom the producers employ and, directly or indirectly, add to the business prosperity of the country.

Is that what the people want? Or do they prefer the old style of service to which persons were appointed in return for election favors so that they might travel or study abroad and generally have a good time at public expense? It is true that there has not been a great deal of this inefficient service lately, but the reform as yet stands only on an Executive order. The purpose of the Sulzer bill is to give the new system permanency and make possible its improvement.

The "dollar diplomacy" phrase is the sneer of the incompetents and the frivolous. Nobody who thinks far will be fooled by it.

MARITIME EXCHANGE,  
New York City, April 3, 1912.

HON. WILLIAM SULZER,

*Chairman Committee on Foreign Affairs, House of Representatives.*

DEAR SIR: Referring to your favor of the 25th ultimo and to my reply thereto under date of March 29, I have now to advise you that the law committee of this association, to which committee the matter was referred, have reported favorably on your bill (H. R. 20044) for the improvement of the foreign service.



As you are, of course, aware, this association, from the nature of its membership, composed as it is of representatives of practically all the leading steamship lines, importer, and exporters, etc., at this port, is vitally interested in the Diplomatic and Consular Service, and any measures for its improvement will receive our hearty support.

Your bill (H. R. 20044), if enacted into law, would result in placing the Diplomatic and Consular Service at a high state of efficiency and, we believe, would greatly aid the work of the embassies and consulates abroad, thereby facilitating the prompt transaction of the business which the members of this association must necessarily have with these offices.

We therefore respectfully petition for the prompt enactment of H. R. 20044 into law.

Respectfully,

MILLAND U. TAYLOR,  
*President.*

---

CHAMBER OF COMMERCE OF THE STATE OF NEW YORK,  
*New York, April 3, 1912.*

HON. WILLIAM SULZER,  
*Chairman Committee on Foreign Affairs, House of Representatives.*

DEAR SIR: Replying to your letter of recent date, the chamber of commerce will, at its meeting to-morrow, indorse the bill to which you refer. It is a good bill, and I congratulate you upon the good work you are doing.

Very truly, yours,

A. B. HEPBURN, *President.*

---

CHICAGO, *March 21, 1912.*

HON. WILLIAM SULZER,  
*Chairman House Committee on Foreign Affairs.*

DEAR SIR: I have the honor to inclose herewith copy of preamble and resolutions adopted by the board of directors of this board upon the subject of consular and diplomatic services of the United States, and trust that the same may have your distinguished support.

Very respectfully, your obedient servant,

GEO. F. STONE,  
*Secretary Board of Trade of the City of Chicago.*

[Copy of resolutions adopted by the board of directors of the Board of Trade of the City of Chicago.]

Whereas the American Consular and Diplomatic Services are of great importance to the mercantile, manufacturing, and financial interests of the United States; and

Whereas upon the character and efficiency of those services depends, to a large extent, the expansion of our foreign trade; and

Whereas to give such services the efficiency demanded by a forceful and world-wide competition, they should be conducted absolutely upon the merit system and independent of mere political preferences; and

Whereas legislation affecting business interests should be definite, practical, and not lacking the essential element of permanence; and not subject, therefore, to the vacillations incident to politics; Therefore be it

*Resolved*, That the board of directors of the Board of Trade of the City of Chicago respectfully petition that the Congress of the United States enact such legislation as in its judgment will establish the Consular and Diplomatic Services of the country upon a sound business basis; and be it further

*Resolved*, That a copy of the above preamble and resolution be sent to President Taft; Vice President Sherman; Hon. Champ Clark, Speaker of the House of Representatives; Hon. Franklin MacVeagh, Secretary of the Treasury; and Hon. Philander C. Knox, Secretary of State.

FRANK M. BUNCH, *President,*  
WALTER S. BLOWNEY, *Assistant Secretary,*  
*Board of Trade of the City of Chicago.*

NORWICH, CONN., March 23, 1912.

HON. WILLIAM SULZER,

*Chairman Committee on Foreign Relations, Washington, D. C.*

DEAR SIR: I beg to acknowledge your kind and very prompt reply to my letter and to say that it seems impracticable for me to appear and speak before your committee, as otherwise I would like to do.

The sheet with which you accompany the copy of the bill, stating summarily what the enactment of the Sulzer bill insures, is to the point in every clause.

As an occasional and observant traveler abroad in former years; as one having had more or less business in foreign lands; and as one frequently in correspondence, personally and by letter, with those of better opportunities for observation than my own, I am convinced:

First. That the old system of appointment to diplomatic and consular position, based on the doctrine of political reward, gives the absolute minimum of efficiency with the absolute maximum of expense.

Second. That under said system our Nation has been put to extreme disadvantage as compared with other and competing nations, as to the relative equipment, capacity, and influence of our diplomatic and consular representatives the world over.

Third. That the tentative examinations and rules established in the State Department have measurably and very visibly improved the service.

Fourth. That your bill, if it becomes law, will still further improve it, strengthening points now weak and elevating the tone and the efficiency of the service to a degree which will be quickly recognized and appreciated by every American citizen who travels or does business outside his own land. In that way it will greatly help the business of our citizens throughout the world.

Thanking you for your very courteous letter,

I am, dear sir, very respectfully, yours,

WM. A. AIKENS.

PORTSMOUTH, OHIO., March 22, 1912.

HON. WILLIAM SULZER,

*House of Representatives, Washington, D. C.*

DEAR SIR: We desire to have you know that we are in favor of bill (H. R. 20044) relating to the American Diplomatic and Consular Service, and are anxious to see it adopted and hope you will see your way clear to favor it.

Yours, very truly,

THE SELBY SHOE CO.

NEW YORK, March 23, 1912.

HON. WILLIAM SULZER,

*House of Representatives, Washington, D. C.*

MY DEAR SIR: Allow me to thank you for introducing the admirable bill 20044 for the improvement of the Foreign Diplomatic Service. I hope sincerely that the bill may speedily be reported by the committee and may be passed at the present Congress.

I am satisfied from some personal observation that the steps which have already been taken by the State Department in the direction of this bill, have greatly improved our Consular and Diplomatic Service. This bill will extend these improvements and give them a more permanent character.

Allow me to say that in introducing and presenting the bill you are rendering an important public service.

Faithfully, yours,

EVERETT P. WHEELER.

NEWARK, N. J., March 23, 1912.

HON. WILLIAM SULZER,

*Washington, D. C.*

DEAR SIR: By a unanimous vote at the regular meeting of this body, at which 150 business men were present, the provisions of H. R. 20044, introduced by Hon. William Sulzer, was accorded full indorsement, and it was voted to petition for its enactment at this session.

It was voted to communicate with the Members of the House and Senate from New Jersey to urge their cooperation and to request their support in favor of its enactment.

Respectfully,

BOARD OF TRADE OF THE CITY OF NEWARK.  
JAS. M. KELLEY, *Secretary*.



MASSACHUSETTS STATE BOARD OF TRADE,  
Boston, March 23, 1912.

Hon. WILLIAM SULZER,  
*Chairman Committee on Foreign Affairs.*

DEAR SIR: At a meeting of the Massachusetts State Board of Trade in executive council held March 13, 1912, the following vote was unanimously passed:

"Voted, that the Massachusetts State Board of Trade, being especially interested in the improvement and extension of the commerce of the United States with foreign countries and in the development of an efficient foreign service capable of rendering substantial assistance to American manufacturers and exporters, approves of the passage of House bill No. 20044, which it believes will lay the foundation for still further improvement in the future, and it asks the hearty cooperation of the Massachusetts Senators and Representatives in the effort to secure the passage of this bill."

Yours, very truly,

RICHARD L. GAY, *Secretary.*

STATE CIVIL SERVICE COMMISSION,  
Chicago, March 1, 1912.

Hon. WILLIAM SULZER,  
*Chairman Committee on Foreign Affairs,*  
*House of Representatives, Washington, D. C.*

DEAR SIR: As a citizen who is interested in the improvement of the public service, and especially the foreign service, I should like to urge the report and passage of H. R. 20044, introduced by yourself. I should probably go much further than your bill provides, as I thoroughly believe in the competitive system of selecting public officials. I believe, however, that it is of great importance to the foreign service that some such measure as you have introduced should be enacted.

Yours, very truly,

W. B. MOULTON.

THE MANUFACTURERS' CLUB,  
Terre Haute, Ind., March 16, 1912.

Hon. WILLIAM SULZER,

DEAR SIR: At a meeting of the Terre Haute Manufacturers' Club held March 14, 1912, your bill (H. R. 2044) for the improvement of the foreign service was read, discussed, and unanimously approved. The hope was generally expressed that you may secure its enactment into law.

Respectfully,

WM. C. BALL, *Secretary.*

CUSHING, SIDDALL & PALMER,  
Cleveland, Ohio, February 28, 1912.

Hon. WILLIAM SULZER,  
*Chairman Committee on Foreign Affairs,*  
*House of Representatives, Washington, D. C.*

DEAR SIR: I have seen copy of House bill 20044, entitled "A bill for the improvement of the foreign service," introduced by yourself and referred to your committee. I am very much in sympathy with the purpose and provisions of the bill, and respectfully urge with earnestness its report and passage.

Yours, respectfully,

WM. E. CUSHING.

BOSTON, February 29, 1912.

Hon. WILLIAM SULZER,  
*Chairman Committee on Foreign Affairs, Washington, D. C.*

DEAR SIR: I desire to approve and urge the report and passage of House bill 20044, placing the secretaries of the Diplomatic Service and the consuls in the classified service. I have felt for a long time that the provisions of the civil service should be embodied in law rather than subject to Executive order, which later may be annulled or suspended at any time. I hope at some future time the consent of the Senate may not be necessary in the case of officers selected under the civil-service provisions.

Yours, truly,

SAMUEL Y. NASH,  
*Vice President and Chairman Executive Committee,*  
*Massachusetts Reform Club.*

Boston, February 27, 1912.

Hon. WILLIAM SULZER,  
*Chairman Committee on Foreign Affairs,*  
*House of Representatives, Washington, D. C.*

DEAR SIR: I can not too strongly hope for and urge the passage of H. R. 20044.

Yours, sincerely,

HOWARD GUILD.

[Preamble and resolution adopted by the National Civil Service Reform League at a meeting of its council held January 27, 1912.]

Whereas it appears from an investigation made by the secretary of this league at Washington that the result of the Executive orders of June 27, 1906, and November 26, 1909, has been to confine new appointments to positions in the Consular and Diplomatic Services to persons whose qualifications are reasonably tested by examination:

*Resolved*, That, pending the time when the Consular and Diplomatic Services may be further improved by appointments as a result of competitive examination, the council advocates the enactment of the Sulzer bill "for the improvement of the foreign service," which would enact into statute law and thus give stability to the existing Executive orders.

NEW YORK CITY, February 27, 1912.

Hon. WILLIAM SULZER,  
*Chairman Committee on Foreign Affairs,*  
*House of Representatives.*

DEAR SIR: I respectfully urge an early report and subsequent passage of your bill applying the merit system of appointment and tenure to all consular and diplomatic positions.

I have been an ardent advocate of civil service reform methods for over 40 years.

Respectfully, yours,

SILAS W. BURT.

NEW YORK, February 27, 1912.

Hon. WILLIAM SULZER,  
*Chairman Committee on Foreign Affairs,*  
*House of Representatives.*

DEAR SIR: I sincerely hope that your committee may find it expedient to report and urge the passage of House bill No. 20044, for the improvement of the foreign service, introduced by Mr. Sulzer.

Respectfully,

WM. G. LOW.

PHILADELPHIA, February 27, 1912.

COMMITTEE ON FOREIGN AFFAIRS,  
*House of Representatives, Washington, D. C.*

GENTLEMEN: I beg leave to urge upon you the early and favorable report of the bill introduced by the Hon. Mr. Sulzer, the chairman of your committee, H. R. 20044, entitled "A bill for the improvement of the foreign service." I am convinced of the value of this bill as drawn and of the great improvement that will be effected in our foreign service if it shall be adopted.

Hoping for your favorable action, I am,

Yours, respectfully,

R. FRANCIS WOOD.

THE WASHINGTON LOAN & TRUST CO.,  
*Washington, D. C., February 27, 1912.*

Hon. WILLIAM SULZER,  
*Chairman Committee on Foreign Affairs,*  
*House of Representatives.*

MY DEAR MR. SULZER: I am greatly interested in House bill No. 20044, introduced by you February 13, 1912, in regard to the appointments and transfers of secretaries and consuls in the Diplomatic and Consular Service.



If the bill becomes a law, as I hope it will, the effect upon our foreign service will be, in my opinion, a great improvement, and, therefore, very desirable.

I have traveled a great deal in foreign countries during the past 15 years, and have felt many times that the appointments made in the Diplomatic and Consular Service have too frequently not secured efficient service or reflected credit upon our Nation.

Yours, very sincerely,

JNO. JOY EDSON.

CINCINNATI, March 2, 1912.

HON. WILLIAM SULZER,

*Chairman Committee on Foreign Affairs,  
House of Representatives.*

DEAR SIR: I ask you to urge the report and passage of H. R. 20044, entitled "A bill for the improvement of foreign service." The additions made in this bill to the Lowden bill would, I believe, add to the value of the legislation. The enforcement of the Executive orders of June 27, 1906, and November 26, 1909, has, I am informed, led to marked improvement in the caliber of the men appointed to the Diplomatic and Consular Service, and the enactment of these orders into law would give stability to the system created by them.

Yours, respectfully,

C. B. WILBY.

PHILADELPHIA, February 27, 1912.

HON. WILLIAM SULZER,

*Chairman Committee on Foreign Affairs,  
House of Representatives.*

DEAR SIR: I have had an opportunity to examine your bill for the improvement of the foreign service—H. R. 20044—and I desire to express my approval of this measure and to urge the importance of its passage as promptly as possible.

I believe the enactment of this bill will work a great improvement in our Diplomatic and Consular Service, and will, in the long run, do a great deal to establish and foster trade relations with foreign countries.

Very truly, yours,

ROBERT D. JENKS.

RICHMOND, IND., March 6, 1912.

HON. WILLIAM SULZER,

*Chairman Committee on Foreign Affairs, House of Representatives.*

GENTLEMEN: I have carefully examined the proposed bill of the House (20044) for the improvement of the foreign service, and in company, as I believe, with all those who earnestly desire the improvement of the service without reference to mere political advantage, I earnestly urge the report and passage of that bill as a measure of practical improvement which is sure to be productive of credit to our service abroad and of advantage to our commercial relations.

Yours, truly,

WM. D. FOULKE.

BOARD OF TRADE OF KANSAS CITY, MO.,  
Kansas City, Mo., March 19, 1912.

HON. WILLIAM SULZER, M. C.,

*Chairman Committee on Foreign Affairs, Washington, D. C.*

DEAR SIR: The following resolutions were adopted by this board of trade at a recent meeting:

Whereas in response to the growing demand on the part of the American people for the best service in all departments of national life, the President of the United States, by Executive orders, under date of June 27, 1906, and November 26, 1909, applied civil-service principles to the Diplomatic and Consular Service; and

Whereas sundry bills have been presented to Congress since 1906 for the enactment into law of the aforesaid Executive orders: Now, therefore,

The Board of Trade of Kansas City, Mo., petitions the Congress of the United States to promptly enact a law which shall provide for the application of civil-service principles to the Diplomatic and Consular Service of the United States; and

*Further*, That due consideration may be given the question of adequate pensions for the retired diplomatic and consular officers in order that men of high character and ability may be attracted to the responsible and honorable career of representing our country abroad and definitely adopting such service as their life work.

Yours, respectfully,

E. D. BIGELOW, *Secretary*.

CHAMBER OF COMMERCE OF THE STATE OF NEW YORK,  
New York, April 5, 1912.

DEAR SIR: I take great pleasure in sending to you inclosed preamble and resolution adopted by the chamber of commerce at its meeting on Thursday, April 4, indorsing the Sulzer bill (H. R. 20044) for the further improvement of the Consular Service.

Yours, very truly,

SERENO S. PRATT,  
*Secretary*.

HON. WILLIAM SULZER,  
*House of Representatives, Washington, D. C.*

Whereas the Sulzer bill (H. R. 20044), entitled "A bill for the improvement of the foreign service," is in harmony with the recommendations of President Taft and of his Secretary of State, and embodies the principles advocated by this chamber during many years; and

Whereas it seeks to make permanent the great improvement already brought about in the Diplomatic and Consular Service, and to lay the foundation for further improvement in the future by giving legislative sanction to the existing executive regulations governing appointments and promotions in that service, thus increasing that efficiency necessary for the promotion of our foreign trade: Therefore be it

*Resolved*, That the Chamber of Commerce of the State of New York heartily indorses House bill 20044 providing for examinations to test the fitness of persons seeking appointment and promotion in certain grades of the Diplomatic and Consular Service, and urges the Representatives of this State in both branches of Congress to give to the bill their earnest support.

[Editorial from the Philadelphia Inquirer, March 14, 1912.]

#### TO IMPROVE THE FOREIGN SERVICE.

Representative Sulzer has introduced a bill "for the improvement of the foreign service," which responds to the requirements of the situation in view, which conforms to the recommendations of the President and the Secretary of State, and which ought without any undue delay be enacted into law. It is intended to increase and secure the efficiency of the Consular and Diplomatic Service by definitively taking it out of politics and establishing it upon a business basis. To this end it proposes that all appointments of secretaries in the Diplomatic Service and of consuls general and consuls shall be made by the President to grades instead of places, subject, of course, in every instance to the advice and consent of the Senate. To this end it directs the Secretary of State to report to the President from time to time the names of those who, on their records, deserve promotion, and also the names of such as shall upon examination have proved their fitness for appointment to the lower grades.

It provides for the organization of two examining boards, one for the diplomatic department, to consist of an Assistant Secretary of State, a representative of the Civil Service Commission, a law officer of the State Department, and of one other officer whom the Secretary of State is to name; and another for the Consular Service, to be composed of the administrator of the service, of the



chiefs of the Consular and Trade Relations Bureaus, and of one other person to be designated by the Civil Service Commission. The examinations, which are to be held at least once a year, are to be comprehensive in their scope and practical in their character. They are to be conducted with strict impartiality and without regard to the political or other affiliations of the candidate, and their result, which must be made public, is to be certified to the Secretary of State, who will in this way be furnished with a list of persons who have in the manner prescribed demonstrated their eligibility, from which to make his recommendations.

It will be understood that the object and effect of all this will be to base appointments on fitness instead of influence; to make sure that appointees shall be qualified to discharge their duties with a maximum measure of ability; and by removing them from the hazard of arbitrary removal and conditioning their advancement exclusively on merit, to convert employment in the two services in question into a career which will attract and retain a superior class of men. There is no room for two opinions as to the great desirability of this reform. A beginning in its achievement has already been made through the spontaneous and voluntary initiative of the President and of the State Department. It has been felt that the foreign interests of the United States could only be properly protected and promoted through the instrumentality of trained men holding their offices on good behavior and assured of a promotion in accordance with their deserts; and to an important degree the principle which the Sulzer bill embodies has been successfully applied.

At present, however, the continuance of the reformed system rests entirely with the Executive, and the desideratum is to give it the sanction and the binding force of law. This will be accomplished by the passage of the present measure, and in this way the United States will secure an equipment for the development of its foreign trade comparable with that possessed by every first-class European power, an equipment which is indispensable to the acquisition by this country of its due share of business in the markets of the world.

---

[Editorial from the Brooklyn Eagle, March 13, 1912.]

#### CUSTOM SHOULD BE MADE PERMANENT.

The Eagle discharges a very agreeable duty in commending the bill recently introduced in the House of Representatives by Chairman William Sulzer, of the Committee on Foreign Affairs. The object of this measure is to give legislative sanction to methods already in force, covering appointments to the Diplomatic Service below the grades of ambassador and minister. Mr. Roosevelt and Mr. Taft have both adhered to the principle that these appointments should be made for demonstrated fitness only; that appointments should be first to grades and then to places, and that experience and good service in inferior positions should automatically assure to the incumbents promotion to superior and higher salaried positions.

What is now the custom should become a law. Until law supplants custom there is no assurance that future Presidents will feel themselves bound by the example of Mr. Taft and his predecessor. The prevailing method ignores the political affiliations of candidates, provides for the passing of prescribed examinations, and aims to make efficiency the only basis for advancement. The ultimate effect of this custom, since made permanent by law, would be to build up a diplomatic service alike creditable to the Nation, and a source of substantial advantage to merchants doing business with foreign countries, and requiring in that relation the advice of intelligent and well-trained diplomatic agents. Every great nation in the world except the United States long ago made diplomacy a profession, instead of a mere political game. The Sulzer bill would permanently raise it to the dignity of a profession and assure the filling of its places with men conspicuously qualified to fill them.

---

[Editorial from Harper's Weekly, March 23, 1912.]

#### TO IMPROVE THE FOREIGN SERVICE.

Mr. Sulzer's bill "for the improvement of the foreign service," introduced in the House on February 13, is one in which readers of the Weekly are likely to be interested, and will perhaps join us in urging upon the attention of Congress. By the reorganization act of 1906 Congress classified the posts of the



Consular Service in nine grades of consulates and six grades of consulates general, abolishing compensation by fees, substituting salaries ranging from \$2,000 to \$12,000, and provided a corps of five consular inspectors who inspect every post at intervals of two years.

This bill was good as far as it went, but made no provision for appointments to the service or tenure in office. In June, 1906, President Roosevelt, by an Executive order, promulgated regulations for admission to the consular service which have had the effect of making it a civil service in fact as well as in name. President Taft has not disturbed this order, and under it appointments to the service are now made after careful examination of the candidates. If successful, they are appointed to a class 8 or class 9 (consulate posts carrying salaries at \$2,500 and \$2,000, respectively). All vacancies in posts of higher grades are filled by promotion from the ranks. Political affiliations are not considered.

This method of manning the Consular Service has had excellent results, but it is liable to be upset at any time by Executive order, and Mr. Sulzer's bill aims to give it permanence by legislative enactment. Training and experience are very valuable in consuls, and efficient consuls are considerably and increasingly valuable to American trade. If capable men are to continue to be attracted to that service, it must be made to offer them a career as secure as is offered in the Army or the Navy. If Congress takes such action as Mr. Sulzer's bill invites, that end will be considerably furthered on its way toward attainment.

---

[Editorial from the Indianapolis News, Mar. 23, 1912.]

#### IMPROVING OUR FOREIGN SERVICE.

A bill to improve our foreign service, introduced by Representative Sulzer, has the merit of going to the point in direct improvement of our consular and diplomatic departments. It follows in general lines recommendations made by the President and the Secretary of State. It would put all appointments of secretaries of legations, of consuls, and consul generals in grades instead of places, the President to appoint to such grades, subject to confirmation by the Senate. To this end it authorizes the Secretary of State to submit to the President from time to time the names of those who on their records deserve promotion and also such names of others who may by examination prove their fitness for appointment to the lower grades. There are to be two examining boards, one for the diplomatic department and one for the consular department. The former is to be made up of an Assistant Secretary of State, a representative of the Civil Service Commission, a law officer of the State Department, and one other officer to be named by the Secretary of State.

The examinations are to be held at least once a year, and are to be practical and comprehensive in character, strictly impartial, and with no reference to the political affiliations of the candidate. The results are to be published under certificate of the Secretary of State, who will thus give the list of those that have proved to be eligible for reappointment. The purpose throughout, of course, is to make appointments only for fitness. To insure a standard there is to be a measure of ability, while merit only shall rule, freeing the incumbent from fear of discharge except for cause. Promotions will be made on merit, thus offering a career for those ambitious in this way. That there can be any objection to such a measure is inconceivable, except it be of the old type that wants to preserve our foreign service as spoils of office.

And here the "stars in their courses" are working for the new and better way, for as our foreign trade extends and our foreign relations increase in value and importance the necessity of having proper service increases, and so there are hopes that we shall in time stand alongside of England and Germany in the efficiency of the foreign services. Meanwhile there is a beginning of the better way through the voluntary procedure of the President and the State Department. But as this rests entirely with the good will of the Executive, there is, of course, only his disposition to protect the situation. Great party pressure might at any time "rip up" the whole situation and secure these services for party rewards. There ought to be a public opinion strong enough to bring this reform to pass. And there will be as soon as the people have time to turn their attention from more exciting things. The reform has been proposed these many years, and it is in the way of realization.



[Editorial from Chicago Evening Post, March 25, 1912.]

#### THE SULZER FOREIGN-SERVICE BILL.

There are two bills before Congress which are intended, broadly speaking, to put the Consular and Diplomatic Service of the United States upon a civil-service basis. The bills are similar in many respects, and both of them unquestionably are intended to improve the condition of the foreign service. One of the bills, however, uses the word "shall," while the other uses the word "may," to offset reforms. "Shall" is declared by the best constitutional lawyers in Congress, Democrats and Republicans alike, to be unconstitutional, while "may" they think will stand any test of the courts.

It is not necessary to go into all the details of these two merit measures. One of them was framed by Representative Sulzer, chairman of the House Committee on Foreign Affairs. Mr. Sulzer wrote the word "may" into his bill, and it has been approved by Secretary Knox and all the officials of the State Department who make foreign service and its needs their special concern.

The Constitution of the United States gives to the President the appointment of consular and diplomatic officers. If a bill passes Congress which says that the President "shall" appoint men from the eligible list, the ensuing law would be unconstitutional. The substitution of the word "may" would meet the constitutional requirements.

It is not to be supposed that if a law were passed providing for promotions and appointments by merit and creating through proper examinations an eligible list any President of the United States would dare flout public opinion by refusing to make appointments from the list of eligibles simply because under the Constitution he thus could violate the spirit of civil-service reform, set back progress, and reward a few political favorites.

The vice president and secretary of the National Civil Service Reform League told the Foreign Affairs Committee a few days ago that the thing to do to promote the merit system in the Consular and Diplomatic Service was to pass the Sulzer bill. They said that there were insurmountable obstacles in the way of passing the other measure, which is known as the Foss bill. They expressed the belief that the Sulzer measure would accomplish what civil-service reformers have been trying to accomplish and what business men of the country have shown that they wished to have done. The Sulzer bill is approved by the State Department, by constitutional lawyers, without regard to party, and it is said to be approved by the President. This is no time to quarrel about trivialities. There is a need for a law governing appointments and promotions in the foreign service. The Sulzer bill is constitutional, and it should pass.

---

[Editorial from the Evening News, Newark Mar. 21, 1912.]

#### SOUND BASIS FOR FOREIGN SERVICE.

The Sulzer bill for the improvement of the Consular and Diplomatic Service is very good as far as it goes. Its aim is to make permanent the present arrangement of the service, which now rests solely upon Executive orders, and may be abolished by any President who does not choose to continue it.

As it is, a bureau of appointments has been created which keeps careful records of the men in the service, from which it recommends to the President those who are worthy of promotion, narrates the qualifications that fit them for special fields, and provides such other useful information concerning them as the President needs.

A system of examinations has been established which has become the normal avenue of appointment to secretaryships in the legations, embassies, and to the consulates. The system is a guaranty of fitness for consular and diplomatic work; of proper professional equipment for undertaking the Government service.

Recent appointments to the posts of minister and consuls have been made rather generally by way of promotion from the secretaryships and to as full an extent, perhaps, as possible. The system has not yet been in operation long enough to develop a surplus of secretaries of sufficient experience to make them ministerial and consular timber.

The Sulzer bill proposes to give these new customs legislative sanction. That is as far as it goes. It does not compel the President to select secretaries and

consuls who have passed the examinations or to fill the higher post, when vacant, by promotion. In order to protect the service from dry-rot, very likely the President should not be bound so tightly that, under no circumstances, can he fill a post from outside of the service.

But the bill can not go further toward making examinations compulsory, and basing appointments on efficiency records, and compelling the filling of posts by promotion, without abridging the powers vested in the President and the Senate in the selection and confirmation of foreign-service appointees. This can not be accomplished except by an amendment to the Constitution.

What the bill does secure is a list of eligibles who, under all normal circumstances, will be appointed to the lower positions and allowed to work themselves up to the enviable posts. It is very improbable that any future President will disregard the sanction of the system imposed upon it by this bill. The successful passing of prescribed examinations would be recognized as a desirable, if not mandatory, prerequisite for appointments, and efficiency would be sanctioned as the desired basis of promotion. A President who acted contrary to these principles would court harsh criticism.

The bill would work to the benefit of the men in the service to the extent that it requires the submission of their records to the notice of the President at the time when promotions, transfers, or appointments are to be made.

The bill further provides for the classification and grading of posts and—a new feature—for the appointment of secretaries and consuls to grades instead of to specified posts; the latter is the natural corollary to the grading of the service. It makes provision for the publication of the reports of the examining boards also, insuring a certain measure of publicity to act as a check upon any attempt to depart from the spirit of the system.

The consideration of the political affiliations of candidates is prohibited in the bill, and proportional representation of the various States and Territories in the service is provided for.

All that the bill aims to secure should be secured. It is vital to the successful building up of a useful foreign service.

---

[Editorial from the New York Tribune, Mar. 13, 1912.]

#### PROTECTING THE FOREIGN SERVICE.

Representative William Sulzer, chairman of the House Committee on Foreign Affairs, has introduced a bill which, if passed by this Congress, will effectively protect the foreign service against a recurrence of the abuses of the spoils system. It follows the lines of the Lowden measure, which was submitted to the last Congress with the hearty approval of the Secretary of State. Its main purpose is to give statutory force to the regulations governing appointments and promotions in the Diplomatic and Consular Service which have been embodied in Executive orders by President Roosevelt and President Taft.

The present administration, by the order issued November 26, 1909, bound itself to observe certain rules in making nominations and promotions, these rules being intended to eliminate favoritism and political influence, to secure proper proportional representation to all the States, and to establish fitness as the sole qualification for entrance into the foreign service or advancement within it in all grades below that of minister. By limiting initial appointments to vacancies in the lowest class of consulates, or in third or second secretaryships, and providing for promotion from one grade to another solely on the basis of efficiency records the door has been shut against unworthy applicants and influences.

But the orders of one President may be canceled or ignored by his successor. It would be wise, therefore, for Congress to give legislative sanction to the regulations now established by Executive action, so that no future administration could of its own motion undo the notable improvements made in the conduct of the foreign service in recent years.

---

[Editorial from the Independent, New York, Mar. 28, 1912.]

We wish Congress would, by the enactment of a law like the Sulzer bill, make binding on the President what he is in the main doing of his own good will, namely, prohibit the question of politics in the appointment of consuls



and diplomatic secretaries and other such employees abroad, and that they be appointed to grades instead of to specified posts, and be promoted according to efficiency, with examinations of candidates for such service. We should be thus relieved of some sad scandals, and business would be carried on more effectively. Conditions are now vastly better than they were 20 years ago and less, but there is still room for improvement and for the relief of the appointing power from embarrassment and suspicion.

[Editorial from the Call, San Francisco, Cal., Mar. 18, 1912.]

#### MEASURE TO IMPROVE THE CONSULAR SERVICE.

In line with the recommendations of President Taft to put the Diplomatic and Consular Departments of the Government on a business basis is the Sulzer bill, now pending in Congress. It has been the practice to treat these appointments in all grades as pay for political service, without much regard for fitness. The consequence has been that our Consular Service has become in many cases a national scandal.

The Sulzer bill provides, among other things—

That the consideration of the political affiliations of candidates would be prohibited.

That the successful passing of the prescribed examinations would be legally recognized as a prerequisite for foreign-service appointments.

That efficiency is the only basis for promotion.

That the special efficiency of diplomatic secretaries, of consular officers, of departmental officers and employees, and of all persons who have passed the prescribed examinations would be brought to the attention of the President when recommendations for initial appointments, promotions, and transfers are submitted to him.

That efficiency records would be kept of diplomatic secretaries, of consular officers, and of officers and clerks of the Department of State.

That the proportional representation of the several States and Territories in the foreign service would be published at the close of each examination.

That diplomatic secretaries and consuls would be appointed to grades, instead of to specified posts.

That orderly promotion would be made possible by the grading of diplomatic secretaryships.

American commerce is not greatly concerned about the functions of diplomacy as such, for these are largely and chiefly ornamental, but our consuls in foreign lands are the commercial eyes of the country. They are in a considerable way the business agents of our merchants and manufacturers, and if they have had no training outside the field of politics they are obviously incompetent for any useful service in this field.

It has been notorious that some of them were sent away to get rid of them, although it can not be said that they left their country for their country's good.

---

[Editorial from the Courier, Elgin, Ill., Mar. 19, 1912.]

#### SULZER CONSULAR BILL.

The Courier has received a letter from Huntington Wilson, Acting Secretary of State, relating to the Sulzer bill, which is now pending before the House of Representatives at Washington. This bill is similar to the one before the last Congress and known as the Lowden bill. Its enactment would give legislative sanction to the existing regulations governing appointments and promotions in the Diplomatic and Consular Service, make permanent the great improvement already brought about, and lay the foundation for greater improvement in the future.

Our Diplomatic and Consular Service has, upon the whole, been placed upon a greatly improved basis within the last seven years, during the service of Elihu Root and Secretary Knox. It was clearly understood by the former when he first instituted his reforms that they could only be achieved gradually. The bill for "consular and diplomatic reform" which became law several years ago was far from reaching the point which he held desirable.

The Sulzer bill is expected to go further and help the service even more. It is in harmony with the recommendations of the President and of the present Secretary of State, and it embodies the principles for which the commercial organizations of the country have been contending for a number of years. It would prohibit consideration of the political affiliations of candidates for either the Consular or Diplomatic Service, would legally establish the examination system in appointments to foreign posts, and make efficiency more clearly the basis of promotion.

Time was when, except for the various literary figures who adorned it, our foreign service was little short of a disgrace. That period has passed—and so, unfortunately, have the literary representatives, like Lowell at London, Howells at Venice, and others—but the foreign service is still far from what it should be.

---

[Editorial from the Republican, Springfield, Mass., Mar. 13, 1912.]

Our Diplomatic and Consular Service has, upon the whole, been put upon a much improved basis within the last seven years under Elihu Root and Secretary Knox. While various unfortunate lapses from the professed policy as to appointment by merit prevent unqualified praise, progress has been made. But it was clearly recognized by Mr. Root when he instituted his reforms that they could only be achieved gradually, and the bill for “consular and diplomatic reform” which became law several years ago was far from going to the full extent which he held desirable. A bill is now pending in the House, introduced by Congressman Sulzer, chairman of the Foreign Relations Committee, which appears to go further and should therefore receive favorable attention. It would prohibit consideration of the political affiliations of candidates for either the Diplomatic or Consular Service, would legally establish the examination system in appointments to foreign posts, and make efficiency more clearly the basis of promotion. Time was when, except for the various literary figures who adorned it, our foreign service was little short of a disgrace. That period has passed—and so, unfortunately, have the literary representatives like Lowell at London, Howells at Venice, and others—but the foreign service is still far from what it should be.

---

[Editorial from the Times, New York, Feb. 28, 1912.]

#### LEGALIZING REFORMS.

Representative Sulzer has introduced in the House a bill which practically gives the force of law to the Executive orders of 1906 and 1909 for the improvement of the foreign service, and somewhat extends them.

Under this bill provision is made that all applicants for appointment in the lower grades of the service shall undergo a strict and practical examination in “business experience and ability; the resources and commerce of the United States, with special reference to the development of export trade; international, commercial, and maritime law and history; American history, government, and institutions; and one language other than English.” The Secretary of State is required to report the names of those found on examination to have fitness for appointment to the lower grades of the service, and also “the names of those secretaries in the Diplomatic Service and of those consular officers or departmental officers or employees who, by reason of efficient service, an accurate record of which shall be kept in the Department of State, have demonstrated special efficiency.” Further, the President is authorized to make all appointments of secretaries, consuls general, and consuls to grades instead of to places.

These provisions have partly been in force under Executive order for from three to six years, and have worked admirably. They should have the force of law, which is given to them by Mr. Sulzer’s bill.

---

[Editorial from the Philadelphia Inquirer, May 4, 1912.]

#### SULZER BILL FAVORABLY REPORTED.

Representative Sulzer’s bill for the better administration of the Consular and Diplomatic Services has been favorably reported by the Committee on Foreign Affairs, of which he is the chairman, and if Congress has a proper appreci-



ation of its consequences and interest, it will become a law before the end of the session.

It provides for the perpetuation and extension of a reform which, through the intelligent and public-spirited intervention of the Executive, has already been partially and provisionally accomplished. It was Secretary Root who first proposed, with President Roosevelt's sanction, that consuls and diplomatic agents should be appointed and promoted on merit. This enlightened policy has been continued by Mr. Knox, and the purpose of the Sulzer bill is to insure against the possibility of its abandonment by investing it with a legal status and authority.

With the enactment of the Sulzer bill what is now optional will be made imperative, and any return to the old bad practice under which consular appointments were distributed as political rewards, will be precluded. This means that men of education and ability will embrace the Consular and Diplomatic Service as a career. They will qualify themselves for it as a man qualifies himself for the practice of a profession, because they will have an assurance that their tenure of office will be determined by their own behavior, and that if they develop a special aptitude they may confidently count on promotion.

Under these conditions the United States will secure the same kind of skilled and trained service which other countries command, and which is so necessary to the development of its foreign trade.

---

[Editorial from Baltimore American, Mar. 14, 1912.]

#### IMPROVE FOREIGN SERVICE.

No phase of the interests of this country has been affected so widely by the world status of the Nation since its entrance into the Eastern Hemisphere as that of its commerce. The promotion of the commerce of the United States is not simply a normal matter of routine; it is a matter of constant and aggressive enterprise. No other class of citizens have nearly the responsibility or the opportunity for the promotion of the commercial enterprise of the Nation as the men in the Diplomatic Service. From the ambassadors whose services are not a little devoted to the preserving of the wide rights of trade of the country and the defense of the doors of access to undeveloped portions of the globe to the men in the lower consular position, whose time is not a little given to special consular reports upon trade matters and advance in invention and enterprise, the field of diplomatic activity is a great field of intelligent industry.

In view of these facts the Sulzer bill that has been introduced into Congress for the purpose of giving legislative sanction to existing Executive regulations governing appointments and promotions in Diplomatic and Consular Service to make permanent the improvements already brought about and to lay the foundations for still further improvements in the future should receive support of all members of the lawmaking body, whose comprehension of the scope of the bill is adequate to the intent of the measure. The bill covers appointments of secretaries of consuls general and of consuls.

The measure provides that the President may make appointments to grades instead of to places, and gives the range of examination for the designated grades. This bill, if passed, would make the service here comfortable to the methods of the countries better developed in the production of men for the Diplomatic Service. Upon these men rest the vast concerns of the Nation in the direction of trade and the promotion of the sentiments of other peoples with respect to the United States, so as to have the soil well tilled for the sowing of American dollars. The kind of examinations prescribed has very much to do with this bearing. With the coming of the time when the Panama Canal will widen very much the reach of the Nation and change the routes of trade, preparation for the newer enterprise should be entered upon in every appropriate direction. Perhaps in no other single respect will the Nation promote its commercial interests to better advantage than in the passage of the bill in question. The bill is in harmony with the recommendations of the Secretary of State and the sentiments of the President of the Nation.

[Editorial from Harrisburg Telegram, Mar. 14, 1912.]

#### THE SULZER BILL.

Congressman Sulzer's bill for the improvement of the American Diplomatic and Consular Service is one which will encounter comparatively little opposition.

Certainly its purpose should commend it to the best element of all parties—to every man who realizes the importance of maintaining the high standard of our foreign service and who appreciates the efforts of the administration to protect it by every safeguard from the spoilsman.

While the Sulzer bill is not of a revolutionary character at all, it is of the utmost significance by reason of the fact that it provides legislative sanction to the executive regulations already existing with regard to appointments and promotions in the Diplomatic and Consular Corps.

It aims to make permanent changes in the service which were brought about by administrative policy and which might or might not continue under succeeding administrations without the express order of the lawmaking bodies.

The State Department earnestly desires to insure the continuance of the merit system of appointment and promotion by legislative act. It does not wish to run the risk of having improvements that were started under Roosevelt and developed under Taft swept away by later Presidents who may either disapprove of the policy or lack strength to withstand the political pressure brought to bear on them in favor of special appointments or promotions in which the fitness of the candidates is not considered.

This is virtually all the Sulzer bill is intended to do, except, by legislative recognition of the work already accomplished in elevating the efficiency of our foreign representatives, to pave the way for a still higher standard of efficiency in the future.

[Editorial from the Journal of Commerce, New York, Apr. 29, 1912.]

#### IMPROVEMENT OF THE FOREIGN SERVICE.

There is an excellent chance for the passage of the Sulzer bill (H. R. 20044) for the improvement of the foreign service of the United States, if the business interests of the country will make it plain to the members of the House Committee on Foreign Affairs that they regard the bill as a measure of vital importance. The only opposition which the bill has to dread is in the committee. Should it be favorably reported to the House there is not much doubt of its passage. A witness at one of the hearings given by the committee on this bill truthfully said that for 14 years the business interests of the country had been devoting persistent endeavor, backed by practical and well-defined propositions, to induce the Congress of the United States to enact a law that would place the American Consular Service on a permanent merit and business basis under national statute. The value of consular activity to the export trade began to be clearly discerned from the first year of President McKinley. When Mr. Root became Secretary of State in 1905, one of his first acts was to draft, in collaboration with Senator Lodge, a bill to classify and grade the Consular Service, to apply civil service principles to the selection, appointment, and promotion of officers, and to establish a principle of periodical inspection of all offices in the service. President Roosevelt, by Executive order, promptly promulgated regulations similar to those omitted from the act, and therefore since June 27, 1906, the Consular Service has been administered in an entirely nonpartisan manner and according to the strict principles of the merit system. Soon after the beginning of his administration President Taft, by Executive order, applied similar rules and regulations to the secretaryships in the Diplomatic Service. The result has been, according to the director of the Consular Service: (1) The appointment of officers of a higher average of ability than ever before; (2) a far higher standard of official and personal conduct on the part of the officers; (3) far greater activity, industry, and efficiency than had ever before been known in the foreign service of this country.

But the Executive orders of one President can be recalled by another, and there is indeed no constitutional method of depriving the President of his discretion in making appointments, with the consent of the Senate, to consular and diplomatic offices. But obviously a good deal would be gained by giving these orders the effect of law. The law can not be couched in absolutely man-



datory terms, but it can express the will of the legislative branch of the Government in such a way as no President would be likely to disregard, since it would unquestionably have behind it the preponderating weight of public sentiment. This is all that the Sulzer bill undertakes to do, and the criticism directed against it in the committee on the ground that it is an effort to curtail the constitutional prerogatives of the President is entirely beside the mark. The bill seeks to accomplish three important things—first, to place upon the statute book the essential principles of the existing regulations regarding examinations and promotions; second, to grade the diplomatic secretaryships so as to make orderly promotions possible, and, third, to authorize the President to make all appointments of diplomatic secretary and consular officers to grades, instead of to places, similar to the practice of the Army and Navy. The bill does not seek to compel or direct the President to make appointments or promotions in any specified manner, and therefore does not abridge his constitutional right to appoint, with the advice and consent of the Senate, all ambassadors, public ministers, and consuls. On the other hand, it does grade the diplomatic secretaryships and thus provide a basis for orderly promotion, if the President should see fit to direct promotions to be made. Briefly, the Sulzer bill, if enacted, would give permanence to the existing system, not in a narrow way by giving some individual a permanent tenure of a public office, but in the larger way of placing at the disposal of the Government and of the business men of the country a body of professional diplomatic and consular officers—men expert in their calling, acquainted with the subjects with which the foreign service has to deal, and capable of handling questions on those subjects in the most efficient manner.

Several representatives from commercial organizations have appeared before the committee in support of the bill, but the fact has not been made so plain as it might be that the business sentiment of the country is practically a unit in its favor. From the point of view of the professional politician, the bill is an effort to remove definitely beyond his reach a tempting reserve of party spoils. That is, of course, but one reason the more for the men who have a tangible interest in seeing the Government conducted on business principles coming to its support. Its author has been accused of being unfaithful to his party because he has disregarded considerations of "peanut politics," in lending to it his earnest, resolute, and untiring advocacy. The fate of the bill is likely to be settled in the committee on Wednesday, and our readers all over the country will never have a better chance to advance the cause of consular reform than by addressing letters or, preferably, telegrams to individual members of the committee from their own section, or to the chairman of the committee, in default of other representation. We regard the matter as of such exceptional importance that we append the names of the members of the Committee on Foreign Affairs of the House of Representatives for the information of those who agree with us that now is the time to act on a question regarding which the business community of the United States can not afford to be silent:

William Sulzer, of New York, chairman.

Henry D. Flood, of Virginia.

John N. Garner, of Texas.

George S. Legare, of South Carolina.

William G. Sharp, of Ohio.

Cyrus Cline, of Indiana.

Jefferson N. Levy, of New York.

James M. Curley, of Massachusetts.

John Charles Linthicum, of Maryland.

Robert E. Difenderfer, of Pennsylvania.

W. S. Goodwin, of Arkansas.

Charles M. Stedman, of North Carolina.

Edward M. Townsend, of New Jersey.

B. P. Harrison, of Mississippi.

William B. McKinley, of Illinois.

Henry A. Cooper, of Wisconsin.

Ira W. Wood, of New Jersey.

Richard Bartholdt, of Missouri.

George W. Fairchild, of New York.

N. E. Kendall, of Iowa.

J. Hampton Moore, of Pennsylvania.

NEW YORK PRODUCE EXCHANGE.

New York, May 3, 1912.

Hon. WILLIAM SULZER,

*Chairman Committee on Foreign Affairs,*

*House of Representatives, Washington, D. C.*

DEAR SIR: By direction of our president, I am writing to all the members of the Committee on Foreign Affairs of the House of Representatives expressing satisfaction over the fact that the bill introduced by you and bearing House

resolution No. 20044 for the improvement of the foreign service, has been reported favorably by the committee; and I have requested those members to do all they can to further its passage by the House, calling to their attention the fact that our exchange, and all other bodies of a similar character, have long worked for the principle involved in the measure as reported.

Yours, very truly,

W. C. ROSSMAN,  
*Assistant Secretary.*

CHAMBER OF COMMERCE OF THE STATE OF NEW YORK,  
*New York, May 4, 1912.*

DEAR SIR: The Chamber of Commerce of the State of New York at its meeting on April 4 last unanimously adopted a resolution indorsing the bill No. 20044, known as the Sulzer bill and entitled "A bill for the improvement of the foreign service."

It is with much gratification that we now learn that the bill is to be favorably reported by your committee and it is earnestly hoped that there will be no opposition to this action.

Yours, respectfully,

CHAS. T. GWYNNE,  
*Assistant Secretary.*

HON. WILLIAM SULZER.

*Committee on Foreign Affairs, House of Representatives.*

NEW SEATTLE CHAMBER OF COMMERCE,  
*Seattle, Wash.*

BOARD OF TRUSTEES,  
*New Seattle Chamber of Commerce.*

GENTLEMEN: Your committee on national affairs begs leave to report that this bill is designed to improve our Diplomatic and Consular Service.

In the past our Consular Service particularly suffered from haphazard political appointments. In the old days political qualifications and political influence too frequently governed the selection of the appointee. Personal qualifications for the post were a secondary or subordinate matter. As a result, it too often happened that the Consular Service in places was a hindrance rather than a help to the commerce of the country, and a reproach to the United States.

It is proposed by this bill, which is similar to what is known as the Lowden bill, to provide a means by which the appointment of secretaries in the Diplomatic Service, and of consuls general and consuls shall be made upon the basis of their fitness and qualifications for foreign service.

Under the policy and system of the proposed bill a man could not be appointed consul to a great commercial center on the Continent of Europe, who, for example, should be wholly ignorant of the language of the country, and who had little or no knowledge of the nature of the duties which he was expected to perform for his Government.

In view of the extension of our foreign commerce a trained body of officials in the Consular Service has become a commercial necessity.

This bill, in the opinion of your committee, provides a measure which would greatly improve that important service. The bill has the approval of the State Department, and we would respectfully recommend that this chamber ask our delegation in Congress to support it.

Respectfully submitted.

THOMAS BURKE, *Chairman.*  
R. A. BALLINGER.  
C. H. HANFORD.  
E. C. HUGHES.

Adopted by board of trustees New Seattle Chamber of Commerce, April 16, 1912.

C. B. YANDELL, *Secretary.*



AKRON CHAMBER OF COMMERCE,  
Akron, Ohio, March 13, 1912.

HON. WILLIAM SULZER,  
*Chairman House Committee on Foreign Affairs, Washington, D. C.*

DEAR SIR: The board of directors of the Akron Chamber of Commerce, at a meeting March 12, unanimously adopted a resolution indorsing H. R. 20044, relating to the American Diplomatic and Consular Service.

Very truly, yours,

VINCENT S. STEVENS, *Secretary.*

CHAMBER OF COMMERCE, BUFFALO, N. Y.

Resolution adopted at a regular meeting of the board of directors, held Tuesday, March 12, 1912:

*Resolved*, That the board of directors heartily approves and indorses the bill pending in Congress entitled 'An act to improve the foreign service,' introduced by Mr. Sulzer, being substantially the same bill formerly introduced by Mr. Lowden. This bill would classify the Diplomatic Service in its lower grades and permit its thorough reorganization, as the Consular Service has heretofore been classified and reorganized under an act of Congress, and would recognize and give legal validity to the examining boards for the Consular and Diplomatic Services already created under Executive orders of President Roosevelt and President Taft, and thus would secure so much of the merit system of appointment and promotion in these great branches of our foreign service as has been introduced and found to be practicable under these existing Executive orders.

"This bill, which is understood to have been drafted by the State Department, and is strongly recommended by that department and by the President, would insure the creation and continuation of skilled and efficient Diplomatic and Consular Services, and thus would advance the credit of the Nation and our opportunities for successful business with foreign countries."

Attest, a true copy:

EDWARD B. HARVEY,  
*Financial Secretary.*

CHAMBER OF COMMERCE, HAMILTON, OHIO.

Whereas it is our belief that the successful extension of the commerce of the United States with foreign countries is dependent largely upon the efficiency of our Consular and Diplomatic Service; and

Whereas we are convinced that the efficiency of such service is best assured through the entire elimination of political and personal considerations in the making of appointments and promotions: Therefore be it

*Resolved by the board of trustees of the Chamber of Commerce of Hamilton, Ohio.* That we do indorse the bill for the improvement of the foreign service introduced in the House of Representatives by Mr. Sulzer on February 13, 1912, and known as H. R. 20044; and that we do appeal to our Representatives in the Senate and the House of Representatives of the United States to support and vote for the said bill.

NORWICH, CONN., March 20, 1912.

HON. WILLIAM SULZER,  
*Chairman Committee on Foreign Affairs,  
House of Representatives, Washington, D. C.*

SIR: I have before me a copy of House bill 20044, introduced by you on February 13, 1912, for the improvement of the foreign service.

This bill commends itself to me—

First. As a citizen desirous of higher character and efficiency in our Diplomatic and Consular Service. While we always have some excellent officers in

these posts, it is well known and much regretted that, on the average, our standard of ability and of consequent influence has been, and is, much below that of some other nations.

Second. As a manufacturer of some experience in the export trade, I think your bill worthy of strong support from the standpoint of business.

From every point of view I regard the bill as a decided advance upon even the present somewhat improved condition of our Diplomatic and Consular Service.

If I can do anything further to aid your efforts in the passage of the bill, please suggest.

I have the honor to be,

Very respectfully, yours.

WM. A. AIKEN.

---

ELIZABETH BOARD OF TRADE,  
*Elizabeth, N. J., March 15, 1912.*

CHAIRMAN COMMITTEE ON FOREIGN AFFAIRS,

*House of Representatives, Washington, D. C.*

MY DEAR SIR: I am directed to call your attention to the following resolutions adopted by a unanimous vote at a meeting of this board, held Thursday evening, March 14, 1912:

"*Resolved by the Board of Trade of the City of Elizabeth.* That House of Representatives bill No. 20044, known as the Sulzer bill, which provides legislative sanction to the existing Executive regulations governing appointments and promotions in the Diplomatic and Consular Service of the United States, is in harmony with the recommendations of the commercial organizations of the country for the improvement of this branch of the Government; and be it further

"*Resolved,* That this said bill is approved by this board and its passage earnestly urged; and be it further

"*Resolved,* That copies of this resolution be sent to the Secretary of State of the United States and to the chairman of the Committee on Foreign Affairs of the House of Representatives and of the United States Senate."

Very truly, yours,

FRANK L. DEVINE. *Secretary.*

---

CHAMBER OF COMMERCE OF ROANOKE, VA.,  
*March 30, 1912.*

HON. WILLIAM SULZER,

*Chairman Committee on Foreign Affairs,*

*House of Representatives, Washington, D. C.*

DEAR SIR: We beg to advise you that our organization is in hearty sympathy with your bill (H. R. 20044) for the improvement of our foreign service, and we hope that the measure will be enacted into a law.

Yours, very respectfully,

W. L. SHAFER. *Secretary.*

---

SAVANNAH CHAMBER OF COMMERCE,  
*Savannah, Ga., March 16, 1912.*

HON. CHARLES L. BARTLETT,

*Member of Congress from Georgia,*

*Washington, D. C.*

DEAR SIR: H. R. 20044 (62d Cong., 2d sess.), for improvement of the foreign service.

At a meeting of the directors of the Savannah Chamber of Commerce, held on the 14th instant, a resolution was unanimously adopted indorsing the above bill, and providing that copies of the resolution be sent to Georgia's delegation in the National Senate and House of Representatives.

Very truly, yours,

JOSEPH F. GRAY,  
*Vice President and Chairman Executive Committee.*



SYRACUSE CHAMBER OF COMMERCE,  
March 28, 1912.

HON. WILLIAM SULZER,  
Chairman of Committee on Foreign Affairs,  
House of Representatives, Washington, D. C.

DEAR SIR: This is to inform you that the board of directors of the Syracuse Chamber of Commerce has indorsed H. R. 20044, introduced by you and giving legislative sanction to regulations governing appointments and promotions in the Diplomatic and Consular Service.

Yours, very truly,

ROBERT H. JONES,  
Secretary.

RESOLUTION ADOPTED BY THE SAN DIEGO CHAMBER OF COMMERCE RE IMPROVEMENT  
OF FOREIGN SERVICE.

Whereas there has been introduced in the House of Representatives by Congressman Sulzer a bill for the improvement of foreign service, which bill is H. R. 20044; and

Whereas this body is convinced that such legislation is wise and the bill should become a law: Therefore

*Be it resolved*, That this body indorse and approve the said measure, and requests and recommends that the measure be supported by the Senators and Representatives in the United States Congress from the State of California.

F. C. SPALDING, *President*.  
RUFUS CHOATE, *Secretary*.

I hereby certify that the above is a true and correct copy of the resolutions adopted by the board of directors of the San Diego Chamber of Commerce April 3, 1912.

RUFUS CHOATE.

Whereas American manufacturing and commercial interests require the most efficient foreign representation possible in both the Diplomatic and Consular Service to the end that our country may secure its proper proportion of foreign trade, it is essential that our country excel in its diplomatic and consular appointments those of any other nation; and for this reason it is necessary that appointments and promotions, both diplomatic and consular, be made without regard to political affiliations and for merit and efficiency only: Therefore

*Be it resolved*, That the American Embassy Association heartily indorses the bill introduced by Congressman William Sulzer, of New York (H. R. 20044), and urges upon Congress the necessity of its speedy enactment into law; and

*Be it further resolved*, That a copy of these resolutions be forwarded to the Committees on Foreign Affairs of the House and on Foreign Relations of the Senate, with the request that this most important legislation may be expedited.

THE AMERICAN EMBASSY ASSOCIATION.  
E. CLARENCE JONES, *President*.

Dated New York, March 29, 1912.

THE CHICAGO ASSOCIATION OF COMMERCE,  
Chicago, May 7, 1912.

HON. WILLIAM SULZER,  
Chairman Committee on Foreign Affairs,  
House of Representatives, Washington, D. C.

MY DEAR SIR: Your attention is respectfully invited to a resolution adopted by the executive committee of the Chicago Association of Commerce at regular meeting held on Friday, May 3, as follows:

*Resolved*, That H. R. 20044, entitled 'A bill for the improvement of the foreign service,' commonly designated as the 'Sulzer bill for the improvement of the foreign service,' now pending in Congress, be, and the same hereby is, indorsed as an important step in the promotion of efficiency in the Diplomatic and

Consular Service of the United States and its enactment into a law hereby is recommended."

Very truly, yours,

THE CHICAGO ASSOCIATION OF COMMERCE,  
By E. U. KIMBARK, *President*.

#### SENATOR MORGAN'S EFFORTS.

During the session of the Fifty-third Congress, from 1894 to 1895, Senator Morgan, of Alabama, then chairman of the Committee on Foreign Relations of the Senate, introduced one of the most complete measures ever drafted for the reorganization of the Diplomatic and Consular Service (including secretaries of embassy and consuls general and consuls) under civil-service rules, or that has ever been submitted to Congress. Mr. Morgan reported the bill favorably to the Senate on February 6, 1895. His report may well be regarded as a classic on the subject of the improvement of the foreign service. Mr. Morgan was a Democrat and the bill was reported favorably to the Senate during President Cleveland's second administration.

Following the report on this bill—namely, on September 20, 1895—President Cleveland issued an Executive order applying in a limited way the merit principles to the selection of men for appointment to the consular service. In his third annual message, dated December 2, 1895, after setting forth the provisions of the order, he said:

It is not assumed that this system will prove a full measure of consular reform. It is quite probable that actual experience will show particulars in which the order already issued may be amended and demonstrate that for the best results appropriate legislation by Congress is imperatively required.

The following is a list of practically all the bills presented to Congress for the improvement of the Diplomatic and Consular Service since 1895:

Fifty-third Congress, first session: S. 1187.

Fifty-fourth Congress, first session: S. 3230, Lodge report, No. 1073, May 27, 1896.

Fifty-fifth Congress, second session:

H. R. 4354, Adams.

H. R. 42.

Fifty-sixth Congress, first session:

H. R. 10524, Adams report, No. 1460.

H. R. 1026, Adams report, No. 562.

S. 2661, Lodge report, No. 1202.

S. 4563.

Fifty-seventh Congress, first session:

H. R. 84, Adams report, No. 1313.

H. R. 7482.

S. 223.

S. 1618, Lodge report, No. 499.

Fifty-seventh Congress, second session:

House amendment to diplomatic and consular appropriation bill, 1902.

H. R. 16023, Adams report, No. 3305.

Fifty-eighth Congress, first session:

H. R. 854, Adams.

S. 19, Lodge.

Fifty-eighth Congress, third session:

H. R. 19012, Douglas.

Roosevelt Executive order, November 10, 1905, extended Cleveland order to include all consular posts of \$1,000 and over.

Fifty-ninth Congress, first session:

S. 1345, Lodge report, No. 112, first to be passed; Adams, House report No. 2281.

Act April 5, 1906.



## EXAMINATIONS FOR THE CONSULAR SERVICE.

By an Executive order dated September 20, 1895, the President directed that vacancies in consulates or commercial agencies, the salary of which is not more than \$2,500 or less than \$1,000, or the compensation of which from official fees does not exceed the former or fall below the latter sum, should thereafter be filled by selection from one of the following classes: (*a*) Persons holding positions under the Department of State; (*b*) persons who have previously served thereunder; or (*c*) persons who, having furnished the customary evidence of character, responsibility, and capacity, and having been thereupon selected by the President for examination, have been found upon such examination to be qualified for the particular post to be filled. These examinations are not general and competitive, and no eligible list is kept. When the President decides to fill a vacancy existing among the offices in the above-mentioned class from the list of applicants for that place who are not, and have not been, in the public service under the Department of State, such candidates as have been selected by him after he has passed upon their applications and recommendations will be notified of their selection, of the date of the examination, and of the subjects on which such examination will bear, and they will be supplied with such documents as the examining board shall deem necessary for their guidance.

## LETTER OF THE SECRETARY OF STATE.

The action of the President was based upon a communication from the Secretary of State, as follows:

The PRESIDENT:

SIR: Complaints of the Consular Service of the United States, of the incompetency of consuls, and of the injurious consequences to great public interests, are not infrequently brought to the notice of the department, sometimes by direct communication, but more commonly through the medium of the public press. That they are not always well founded is clear, and instances are by no means rare in which interested parties indulge in the severest condemnation of officials whose only fault has been a proper adherence to the line of their legitimate duties. Merchants, or others, who demand that public functions shall be ignored or exceeded for the promotion of particular and private ends ought to find themselves disappointed, and, if they are, may be expected to rail without stint at the officer who has refused to be their tool. Nevertheless, the consular office is of great importance in its relation to the commercial interests of the country—every consul should, so far as practicable, be chosen for his special fitness for the particular position in which he is to serve—and it can not be denied that, while complaints against consuls are in some cases unwarranted, there are only too many others which can not be so regarded. It is contended by boards of trade, chambers of commerce, and other like bodies all over the country, that if our Consular Service were what it should be and our consuls were officials chosen for their fitness for the duties to be discharged by them, the results to the trade and commerce of the country would be of the most favorable character. The contention seems reasonable in itself and is supported by the practice and experience of Great Britain and other European countries. Congress has, to some extent, recognized its justness by the statutes providing for consular pupils and consular clerks to be appointed upon satisfactory evidence of qualification, derived through examinations or otherwise. By the act of 1864 these officials, originally limited to 25 in number and called consular pupils, are designated as consular clerks and limited to 13 in number, and are not to be removed from office except for cause stated to Congress in writing. It is pertinent to note, also, in this connection, that at the last session of Congress bills to improve the Consular Service, by securing competency and fitness in its officers, were introduced into the Senate by representatives of both political parties. It is the executive branch of the Government, however, which might be expected to be most strongly impressed with the defects of our Consular Service, and by which appropriate measures for removing them would most naturally be initiated.

Hence, it is not surprising to find that in 1866 the Department of State promulgated an order requiring all applicants for consulates to present themselves for examination at the department. Neither the original order nor any copy of it can now be found. But the board of examiners, consisting of the Second Assistant Secretary of State, the examiner of claims, and the officer in charge



of the consular division, met, organized, and held examination under the order, and out of nine applicants, approved seven as satisfactory. The other two were held not to be qualified, one because lacking in knowledge of foreign languages, the other because of general incompetency. It does not appear that more than one examination was held under this order of 1866, and the next step taken in the same direction seems to have been by an Executive order of April 16, 1872. How much was done under this regulation is not clear, and at all events it was soon superseded by the Executive order of March 14, 1873. This order, made like that of April 16, 1872, under the civil-service act of March 3, 1871, and during the life of the commission organized under that statute, is as follows: "Vacancies occurring in any grade of consulates or clerkships in the department may be filled either by transfer from some other grade or service, clerical, consular, or diplomatic, under the Department of State, or by the appointment of some person who has previously served under the Department of State to its satisfaction, or by the appointment of some person who has made application to the Secretary of State with proper certificates of character, responsibility, and capacity, in the manner provided for applications for consulates of which the annual compensation is more than \$1,000 and less than \$3,000, and who has, on examination, been found qualified for the position."

Under this order, an examination board was organized by the Secretary of State, consisting of three officials serving in the State Department at Washington. A general regulation was also adopted, by which, upon a consulate becoming vacant, notice in writing in a form prescribed by the Secretary of State was sent to applicants for consulships.

This notice stated in substance that the vacancy had occurred; that the applicant was to attend for examination at the State Department on the day named; that in addition to the usual subjects, he would be examined upon the third and eleventh chapters of the first volume of Kent's Commentaries, and upon the "Regulations for the Consular Service of the United States"; that reasonable time would be given an applicant to familiarize himself with such "Regulations," copies of which could be had for 80 cents; and that before such examination, the applicant must file with the department a paper certifying to his honesty, trustworthiness, good repute, steady habits, and capacity to perform the duties of a consul, and signed either by a person personally known to the Secretary of State, or by some person with means of information vouched for by one personally known to the Secretary of State. Conformably to these regulations made under the executive order of March 14, 1873, quite a number of persons were examined during the years 1873 and 1874. The examinations were conducted through questions and answers in writing, and the examination papers are still on file in the department. The system thus generally described is said to have worked well in practice, and to have both improved the Consular Service and relieved the department of much embarrassment. It was nevertheless short lived, and though the necessary connection between the two things is not obvious, it seems to have been given up simultaneously with the relinquishment of its functions by the Civil Service Commission of 1871, a relinquishment brought about by the refusal of Congress to make any appropriations for that branch of the service.

The civil-service act of 1871, now in force as section 1753 of the Revised Statutes, authorizes the President "to prescribe such regulations for the admission of persons into the civil service of the United States as may best promote the efficiency thereof, and ascertain the fitness of each candidate in respect to age, health, character, knowledge, and ability, for the branch of service into which he seeks to enter; and for this purpose he may employ suitable persons to conduct such inquiries, and may prescribe their duties and establish regulations for the conduct of persons who may receive appointments in the civil service." It may be that these statutory provisions can not be so utilized as to bring about that complete reform and improvement of the Consular Service which are universally conceded to be desirable. It may be that costly and elaborate machinery of the character provided by the Senate bills already referred to will be found necessary to that end. But, even if that be so, it is still to be remembered that the provisions of those bills have not yet been enacted by Congress and may never be, and that meanwhile it can do no harm and may do much good to make a thorough trial of the efficiency of such regulations as are authorized by section 1753 of the Revised Statutes. I therefore venture to recommend the adoption of an executive order in the terms of a paper which is hereto appended, marked B. It differs in detail, rather than in principle, from the other executive orders already referred to.



It assumes that consuls may properly be chosen from two classes of persons without examination, namely, from persons already in the service of the State Department, or from persons formerly in its service, and who in each case have not only satisfactory records of service, but of service tending to qualify them for the duties of consul. It requires all other persons, being first selected as eligible for examination upon the ordinary proofs of competency and good character, to submit themselves to an examination designed to test their aptitude and fitness for the special functions of the consular office. Thus, on the one hand, the appointing power is left at liberty to avail itself of whatever special capacity and fitness for the consular office actual service has demonstrated to exist. On the other hand, by reserving to itself the designation of the persons eligible for examination, the appointing power protects itself to some extent at least from the errors sure to follow from absolute reliance upon purely academic tests of fitness. Finally, it should be borne in mind that the order now recommended is in no sense final or exhaustive. Experience will doubtless prove in what respects it may be amended or enlarged to the advantage of the public interest. But meanwhile, it may surely be claimed for it that it will be at least a step in the right direction, and a step to be judged of not by the advance it itself makes, but by the advance it may rightly be expected to inevitably lead to.

The incumbents of such consular offices as are scarcely inferior in dignity and importance to that of minister must, it is believed, continue to be selected as heretofore at the personal discretion and upon the personal responsibility of the Executive. It is to be borne in mind, too, that there are a large number of such offices the emoluments of which are less than \$1,000—the lowest salary attached by law to any consular position—which are paid only by fees, and which, as a rule, must be filled from the residents of the particular locality where the office is established. The annexed order, therefore, does not apply to either of these classes. On the other hand, it does in terms apply to commercial agents, so called, officers with functions to all intents and purposes the same as consuls, and thus embraces within its operation nearly three-fourths of the whole number of consular and quasi consular offices of such rank and yielding such compensation as to be desired and sought for by citizens resident within the United States.

Very respectfully,

RICHARD OLNEY.

SEPTEMBER 17, 1895.

---

#### EXECUTIVE ORDER.

It being of great importance that the consuls and commercial agents of the United States shall possess the proper qualifications for their respective positions, to be ascertained either through a satisfactory record of previous actual service under the Department of State or through an appropriate examination:

It is hereby ordered that any vacancy in a consulate or commercial agency now or hereafter existing the salary of which is not more than \$2,500 nor less than \$1,000, or the compensation of which, if derived from official fees, exclusive of notarial and other unofficial receipts, does not exceed \$2,500 nor fall below \$1,000, shall be filled (*a*) by a transfer or promotion from some other position under the Department of State of a character tending to qualify the incumbent for the position to be filled; or (*b*) by appointment of a person not under the Department of State but having previously served thereunder to its satisfaction in a capacity tending to qualify him for the position to be filled; or (*c*) by the appointment of a person who, having furnished the customary evidence of character, responsibility, and capacity, and being thereupon selected by the President for examination, is found upon such examination to be qualified for the position.

For the purposes of this order notarial and unofficial fees shall not be regarded, but the compensation of a consulate or commercial agency shall be ascertained, if the office is salaried, by reference to the last preceding appropriation act, and if the office is not salaried, by reference to the returns of official fees for the last preceding fiscal year.

The examination hereinbefore provided for shall be by a board of three persons designated by the Secretary of State who shall also prescribe the subjects to which such examinations shall relate and the general mode of conducting the same by the board.



A vacancy in a consulate will be filled at discretion only when a suitable appointment can not be made in any of the modes indicated in the second paragraph of this order.

GROVER CLEVELAND.

EXECUTIVE MANSION, *September 20, 1895.*

---

ORDER OF THE SECRETARY OF STATE.

In pursuance of the Executive order of September 20, 1895, the Third Assistant Secretary of State, the Solicitor of the State Department, and the Chief of the Consular Bureau, or the persons for the time being respectively discharging the duties of said offices, are hereby constituted a board,<sup>1</sup> whose duty it shall be, by appropriate examination, to determine the qualifications for the respective positions of persons selected for such examination by the President and applying for such consulates and commercial agencies as are included within the scope of said order. Vacancies occurring in said board, or **such changes** in the membership thereof as experience may prove to be desirable, will be dealt with by additional regulations as occasion may require.

The examination herein provided for shall be held from time to time at the State Department in Washington, upon such notice to candidates as shall give them reasonable opportunity to attend for the purpose in question.

Such examinations shall be by questions and answers in writing, unless for special reasons the board consider it desirable in any particular case to conduct an examination *viva voce*, in which case, however, a stenographer shall be present and shall report all the proceedings.

The subjects to which an examination shall relate shall be:

(1) General education, knowledge of languages, business training and experience.

(2) The country in which the consul or commercial agent is to reside, its government, chief magistrate, geographical features, principal cities, chief production, and its commercial intercourse and relations with the United States.

(3) The exequatur, its nature and use.

(4) Functions of a consul or commercial agent as compared with those of a vice consul or consular agent; relation of former to latter, also to the United States minister or ambassador at the capital of the country.

(5) Duties of a consul or commercial agent as regards:

(a) Correspondence with the State Department and the form thereof.

(b) Passports, granting and viséing.

(c) United States merchant vessels in a foreign port, and their crews, whether seeking discharge, deserting, or destitute.

(d) Wrecks within the jurisdiction.

(e) Wrongs to United States citizens within jurisdiction.

(f) Invoices.

(g) Official fees and accounts.

(6) Treaties between the United States and the foreign country.

(7) Relations of ambassador and minister to laws of the country to which they are accredited, as compared with those of consul or commercial agent to those of the countries where they reside.

(8) Acts of ambassador or minister, how far binding upon his country.

(9) Diplomatic, judicial, and commercial functions of consuls or commercial agents.

(10) Piracy, what it is and where punishable.

(11) Consular Regulations of the United States, copy of which (to be returned to the department) will be supplied to each candidate<sup>2</sup> upon application.

(12) Such other subject or subjects as the board may deem important and appropriate in any particular case.

The examining board is authorized to issue such notices and to make all such rules as they may deem necessary to accomplish the objects of this regulation,

---

<sup>1</sup> The board of examiners was changed by an order of the Secretary of State dated May 24, 1897, so as to consist of the Assistant Secretary of State, the Third Assistant Secretary of State, and the Chief of the Consular Bureau, or the persons for the time being respectively discharging the duties of those offices.

<sup>2</sup> Copies of the Consular Regulations are loaned to those applicants only who have been notified of their selection for examination. Others may obtain them by purchase from the Superintendent of Documents, Washington, D. C., for the sum of 75 cents.



and immediately upon the conclusion of such examination will make to the Secretary of State a report in writing, stating whether in their judgment the candidate is or is not qualified for the particular position applied for, and if the decision is adverse to the candidate, also briefly summarizing the grounds of such decision.

RICHARD OLNEY,  
*Secretary of State.*

SEPTEMBER 23, 1895.

### SENATOR LODGE'S REPORT, 1896.

[Senate Report No. 1073, Fifty-fourth Congress, first session.]

The Committee on Foreign Relations, to whom was referred the bill (S. 1187) to provide for the reorganization of the Consular and Diplomatic Service, submit the following report:

The following report was made by Mr. Morgan on February 6, 1895, to accompany this bill when it was reported to the Senate at that time. It covers entirely all the essential points in regard to the proposed reorganization:

The Consular Service of the United States, like that of other nations, developed gradually out of the necessities of commerce and the willingness of merchants in foreign countries to represent other governments than their own and to discharge certain fiscal and other duties for the sake of the fees to be collected for such services. While the other great commercial nations of the world have at intervals down to recent times been active in the improvement of their consular service, in order to meet satisfactorily the exigencies of a steadily increasing competition in international trade, the consular system of the United States has remained practically unchanged since the time it was called into existence on a small scale by the acts of July 1, 1790, and of April 14, 1792, and kept alive by a number of subsequent unimportant acts.

The act "to remodel the diplomatic and consular system," of March 1, 1855, is entitled to be regarded as an improvement only so far as it slightly enlarged the service and corrected certain abuses therein by a closer supervision of the fees. It in no way, however, effected a change in the principle of consular representation or in the system of appointment. Apart, therefore, from the act of June 20, 1864, which provided for the establishment of a small body of 13 consular clerks with a permanent tenure of office, a measure which at its inception was intended to form the nucleus of an entire reform of the service on that basis, this institution, so important to our foreign trade, has suffered the oversight and indifference of Congress.

This neglect is the more striking and the less excusable when our foreign trade of half a century ago is contrasted with that of to-day. In 1850 the combined value of our imports and domestic exports amounted to \$308,409,759; in 1893 it reached the figure of \$1,697,431,707. But notwithstanding these present vastly increased and far more intricate commercial relations indicated by these figures, no step whatever to increase the efficiency of the consular service, to which the direction and fostering of these relations are intrusted, has been taken. That this has entailed a great loss annually to our foreign trade can not be questioned; that there is also an urgent necessity to correct this want of efficiency is equally apparent.

Even more applicable to the industrial and commercial conditions of to-day, but with reference to those of a decade ago, Secretary Frelinghuysen said in 1884:

"Until recently the demands of Europe, which consumed the greater portion of our exports, and the condition of the producing countries, were such as to give us control in the supply of certain products, such as breadstuffs, provisions, cotton, petroleum, etc. The demands of Europe for all these products, and of the other continents for petroleum especially, were so positive, and our producing conditions so favorable, as to give us practically a monopoly for their supply.

"These conditions of international demand and supply are undergoing radical changes, which the near future will intensify.

"The efforts which have been made and which are being made by Europe to enlarge the field of supply in the above-mentioned products, aided by the ambition which prevails in all countries for the development of natural and artificial resources to meet their own wants and to supply the wants of others, have re-

sulted in awakening competition for the supply even of those products which we have heretofore controlled. It is true that thus far this competition has not affected our trade to any appreciable extent, but the desire for development which is now abroad, and the ambition which prevails to increase the production (outside of the United States) of the foregoing articles, render consular supervision of absolute importance. The complex commercial relations and industrial interests which now prevail in Europe have originated hostility to American products in many countries, and afford additional reasons for the enlargement and perfection of the Consular Service."<sup>1</sup>

In 1888 Mr. Cleveland, in his message to Congress, expresses himself to the same effect when he says: "The reorganization of the Consular Service is a matter of serious importance to our national interests," and in 1893 he again refers to the subject as follows:

"During my former administration I took occasion to recommend a recast of the laws relating to the Consular Service, in order that it might become a more efficient agency in the promotion of the interests it was intended to subserve. The duties and powers of consuls have been expanded with the growing requirements of our foreign trade. Discharging important duties affecting our commerce and American citizens abroad, and in certain countries exercising judicial functions, these officers should be men of character, intelligence, and ability."

In addition to these expressions from a high official source, the necessity of a reform has been recognized by men of letters, eminent statesmen, journalists, and important boards of trade of this country.

It must be admitted that the present management of our foreign service is burdened with many drawbacks to its efficacy by considerations that relate to domestic politics. Partisan policy, when strictly carried out in making appointments in our foreign service, has no other meaning than that the consular offices are primarily regarded as rewards for political services. The real capacity and usefulness of a consul is too often a secondary consideration.

This important and indispensable part of the machinery by which our foreign intercourse is conducted is often employed to pension political favorites. That to subserve the interests of the service ought to be the sole end in view in the selection of incumbents can not be disputed. To consider the offices merely as sources from which these partisan officeholders may derive four years of maintenance is as absurd as it would be to construct a navy to defend the country and to intrust its command to landsmen without experience for whom we might desire to provide a living and comfortable quarters.

Such a purpose, or one not more gratifying, has often been put into practice in our Diplomatic and Consular Service. To protect and promote in time of peace our varied foreign interests through the agency of a trained personnel is not a less-important subject for legislative consideration and provision than in time of war to defend them by the most efficient means at our command.

The object of this act is to provide a system by which persons shall be trained for the duties of the Consular Service, so that they shall be able to perform them in the best possible way at a reasonable expense to the Government. That this can not be obtained without removing the selection of persons for this service from the control of party politics is shown by our experience, if any proof were required to establish a conclusion so entirely true and indisputable.

Fitness of the candidate, permanency of tenure during good behavior, and an impartial method of selection and to govern promotion as reward for efficiency are the principles on which a useful Consular Service can alone be based, with an expectation of the best results.

Under our present system a consular or diplomatic officer has no sooner familiarized himself with the duties of his office and begun to acquire a knowledge of its business and fitness for his duties than he is removed to make room for another novice, who is likewise superseded as soon as his experience begins to enable him to discharge the duties of his office to the satisfaction of himself and others. Thus, in one generation the same post is frequently filled by a number of men, who are successively displaced as soon as they have learned to transact the business of their offices with something of professional knowledge and skill.

This system is not only unjust to the people, but it is equally unjust to the agents, who are thrown back upon their own resources just at the time when a

---

<sup>1</sup> Communication of the Secretary of State to the President, Mar. 20, 1884.



three or four years' preparation has fitted them to devote their energies and capacity with advantage to the foreign service.

To compete successfully with the agents of foreign powers, and to conduct advantageously the political and commercial affairs of our own country, the appointee to this service should be familiar not only with the laws, customs, industries, manufactures, and natural products of our own land, but they should be instructed in the laws, pursuits, language, the contributions to commerce, and the character of the people to whom they are accredited. To this should be added a competent knowledge of the law of nations and of commercial law. As long as these officers are transferred from pursuits and associations which have no connection with commerce or the foreign service, however able and skillful they may be in other things, they can not possess the special knowledge and skill which will render their labors either useful or creditable to the Consular Service.

The foreign service of European Governments for many years has been the object of careful solicitude on their part. An outline statement of them will better enable us to understand the disadvantage we suffer from a defective system.

The French consular service is composed of—

40 consuls general, at a salary each	\$3, 600
50 consuls of the first class, each	2, 800
80 consuls of the second class, each	2, 000
100 vice consuls	1, 400
24 pupil consuls	800

The conditions for admission to the diplomatic and consular service of France are prescribed in a decree of October 15, 1892, and, to show how important France considers its foreign service, attention is called to the fact that over 30 decrees have been issued since 1880 tending to perfect the system.

The pupil consuls are appointed by the minister of foreign affairs. They can only be drawn from the body of attachés on probation who have passed a competitive examination for admission into the service and who have served not less than one year in the home office.

Before being assigned to a diplomatic or consular post they are required to spend at least one year at one of the principal chambers of commerce, where they are to acquire a thorough knowledge of the methods and needs of commerce, and whence they must send the minister periodical reports on the trade of the district. After three years of service, half of which time must be rendered abroad, the pupil consul becomes eligible for vice consul, and after a service of three years in each subsequent grade he becomes eligible for promotion to a higher one.

Candidates for admission in the French diplomatic and consular service must be under 27 years of age and must have taken a collegiate degree in law, science, or letters, or must have passed certain other examinations, or be the holders of commissions in the army or navy.

The examination for entrance into the service is either written or oral, as may be required.

The written test consists of a composition on public and private international law and a translation into French from English and German, which is dictated. Those candidates who aspire to the diplomatic career are to write also a composition on a subject of diplomatic history that occurred since 1648; those destined for the consular service must write a composition on a subject of political economy or of political and commercial geography.

Those whose papers are sufficiently creditable in the opinion of the examiners to warrant their going any further are then subjected to a public oral examination on public and private international law, political and commercial geography, political economy, and a conversation in English and German. Candidates for the diplomatic career are further examined orally in diplomatic history since 1648, and candidates for the consular service are examined on maritime and customs laws.

The French foreign service is under very strict discipline, and for misconduct or inefficiency there are the following penalties:

(1) Reprimand.

(2) Withholding a part of the salary, not exceeding one-half thereof and not for a longer period than two months.



(3) Suspension from the service without salary for two or more years.

(4) Dismissal.

The last three penalties are imposed by the minister of foreign affairs, with the consent of the council of directors, and after a written or oral hearing of the party under censure.

In addition to their regular salaries, the French consular officers are entitled to traveling expenses and allowances for house and office rent, and for entertaining where it is necessary.

Such a course of training and discipline must produce thorough efficiency; and the generous rewards given for faithful and profitable service must encourage a good class of men to adopt such employment as a profession to which all their energies and abilities are industriously devoted. The permanency of employment, during good behavior, gives confidence to the officer and constantly increasing benefit to the Government.

The British system of regulations for the admission of applicants to the consular service are as follows:

"Persons selected for the consular service, whenever the circumstances of their being resident in England, on their first appointment, or of their passing through England on their way to take up such first appointment, may admit of their being subject to examination, will be expected to satisfy the civil-service commissioners—

"(1) That they have a correct knowledge of the English language, so as to be able to express themselves clearly and correctly in writing.

"(2) That they can write and speak French correctly and fluently.

"(3) That they have a sufficient knowledge of the current language, as far as commerce is concerned, of the port at which they are appointed to reside, to enable them to communicate directly with the authorities and natives of the place; a knowledge of the German language, being taken to meet this requirement for ports in northern Europe; of the Spanish or Portuguese language, as may be determined by the secretary of state, for ports in Spain, Portugal, Morocco, and South or Central America; and of the Italian language for ports in Italy, Greece, Turkey, Egypt, and on the Black Sea or Mediterranean, except those in Morocco or Spain.

"(4) A sufficient knowledge of British mercantile and commercial law to enable them to deal with questions arising between British shipowners, shipmasters, and seamen. As regards this head of examination, candidates must be prepared to be examined in 'Smith's Compendium of Mercantile Law.'

"(5) A sufficient knowledge of arithmetic for the nature of the duties which consuls are required to perform in drawing up commercial tables and reports. As regards this head of examination, candidates must be prepared to be examined in Bishop Colenso's Arithmetic.

"Moreover, all persons on their first nomination to consulships, and after having passed their examination before the civil-service commissioners, will be required, as far as practicable, to attend for at least three months in the foreign office, in order that they may become acquainted with the forms of business as carried on there.

"Limit of age for candidates, 25 and 50, both years inclusive. (Fee for examination, £1 to £6.)"

Mr. Henry White, formerly secretary of legation at London, in an article contributed to the *North American Review*, makes the following instructive statements concerning the British consular service:

"The British service was established in its present form by act of Parliament in 1825 (6 Geo. IV. cap. 87). Up to that time its members had been appointed, on no regular system, by the King, and were paid from his civil list. This act placed the service under the foreign office, and provided for its payment out of funds to be voted by Parliament. Since then it has been the subject of periodical investigation by royal commissions and Parliamentary committees, with a view to the improvement of its efficiency. The evidence taken on these occasions is published in voluminous blue books, the perusal of which I recommend to those interested in the reform in our service.

"Appointments are made by the secretary of state for foreign affairs. Candidates must be recommended by some one known to him, and their names and qualifications are thereupon entered on a list, from which he selects a name when a vacancy occurs. The candidate selected, whose age must be between



25 and 50, is then required to pass an examination before the civil-service commissioners.

"The salaries of British consular officers are fixed, under the act of Parliament of July 21, 1891 (54 and 55 Vict., cap. 36), by the secretary of state, with the approval of the treasury, and no increase can be made in any salary without the approval of the latter. They average about £600 (\$3,000) a year, but, of course, some of the important posts are much more highly paid, the salary of the consul general at New York being £2,000 (nearly \$10,000), with an office allowance besides of £1,660, and a staff consisting of a consul at £600 and two vice consuls at £400 and £250, respectively; that of the consul at San Francisco, £1,200 (nearly \$6,000), with an office allowance of £600 besides.

"British consular officials are retired at the age of 70 with a pension.

"There is also an unpaid branch of the service, consisting chiefly of vice consuls, appointed at places which are not of sufficient importance to merit a paid official. They are usually British merchants, but may be foreigners. They are not subjected to an examination, and are rarely promoted to a paid appointment.

"Consular clerks are required to pass an examination in handwriting and orthography, arithmetic, and one foreign language (speaking, translating, and copying)."

Mr. White through a series of years was our secretary of legation at London, and is thoroughly informed on the subject of consular duties and the acquirements that are essential to an efficient and respectable service. His approval of the plan adopted in this bill for the reformation of our consular system and service is a strong recommendation of its future advantages.

In Germany persons are appointed to the office of consular chancellor who have passed their examinations as "referendary," a title which requires graduation at a German university and requires a thorough knowledge of law, political science, statistics, etc. The chancellor of the consulate is promoted gradually until he reaches the rank of consul general.

As a rule the personnel of our consular establishment is not in unfavorable contrast with that of the leading European States as to intelligence and sagacity; but our consuls have not usually the liberal education characteristic of the consular representatives of the great European States, nor are they so well informed as to commerce and its great variety of contributory pursuits, or with the exact business methods employed in conducting the commerce of the leading nations. This seems to be our point of most serious deficiency.

It is proper, and may be necessary, that the laws should designate the places at which consulates are established, but discretion should be given to the President to send consuls to other places, at least temporarily, to meet the demands of trade and intercourse that may arise in new and unexpected quarters. Especially is this necessary in cases where other countries are engaged in war, and a sudden emergency calls for the protection of our citizens in places which are not designated by law as the location of consular establishments.

But the laws should not designate the individual who is to be the consul at any particular locality. That matter should be left to the discretion of the President, so that he can at all times have the right man at the right place, to meet any demand of trade or to secure the adequate protection of the persons and property of our citizens in any emergency, or for any public reason.

The arrangement of the fixed residences of consuls of the several classes is not attempted in this bill. The laws and the practice of the Department of State are, for the present at least, a sufficient guide in that matter.

The President should, however, be left free in his authority to send a consul of any class to any consulate when he may consider that the demands of the public service require such transfers.

The reasons for such a provision of law are many and cogent, and they are so obvious as not to require any elaboration in this report. They relate as well to the fitness of consular officers for the particular duties of the occasion as to their usefulness because of their experience as to the condition of the people, the trade, and the language of the particular locality where their services are required.

The consular establishments thus mobilized would soon show a great growth in useful knowledge of the affairs of various parts of foreign countries, and our trade with many foreign countries would be greatly increased and rendered more secure.

The following statements, showing the present condition of our Consular Service, will show that the change in the organization of the system will add



materially to the revenue derived from that source, without a material increase of the expenditures:

*Expenditures for salaries of consular officers and amount of compensation in fees, where the officer has no salary, for the year 1894.*

26 consuls general (not including those also commissioned ministers resident) -----	\$98,000.00
188 salaried consuls -----	371,500.00
11 salaried commercial agents -----	22,000.00
13 salaried consular clerks -----	15,000.00
62 feed consuls (personal perquisites in official fees) -----	36,152.85
33 feed commercial agents (personal perquisites in official fees) ---	36,505.53
Notarial and unofficial fees retained by consular officers as personal perquisites (lowest estimate) -----	250,000.00
-----	-----
333 Total -----	829,158.38

*Officers of the Diplomatic Service embraced in this bill.*

6 secretaries of embassy -----	\$13,875.00
17 secretaries of legation -----	31,975.00
-----	-----
23 Total -----	45,850.00

According to the Annual Report of the Fifth Auditor of the Treasury for the year ended June 30, 1894—

The expenses for last year of the Consular Service were -----	\$1,055,417.43
The consular fees received for official services were -----	758,410.81
-----	-----

Excess of expenditures over receipts -----	297,006.62
--	------------

This excess of expenses is larger than it has been for 10 years. In 1893 it only amounted to \$96,042. The difference is not due to an increase of expenditures, but, no doubt, may be found to a great extent in the changes of our tariff laws. This excess, though larger than customary, is, after all, a small sum when considered with reference to the important purposes for which it is disbursed, and, with the payment into the Treasury of the unofficial fees, as proposed under this bill, it is likely to be greatly reduced, if not changed into a balance in favor of the income from that source.

The entire excess of expenditures for salaries in the Department of State and in the Diplomatic and Consular Service over the receipts amounts to only \$615,909.19, the smallest amount expended by any of the great powers of the world. The expenditures of the foreign service of Great Britain, Russia, Germany, Italy, and Spain exceed this amount by very considerable figures, and the report of the ministry of foreign affairs of France for the year 1893 shows only \$240,000 receipts and \$3,266,960 expenditures, a sum almost double that expended by the United States, including even the incidental and contingent expenses of the Consular and Diplomatic Service of the latter country.

This bill adopts the principle of permanent official tenure, so far as the laws can control that subject, but permanent only as it is of benefit to the service. It leaves the power of removal from office to the discretion of the President. The position of each employee of the service is protected against the uncertain and demoralizing effects of changes for merely political reasons in the administration of the Government as far as Congress can control the subject. But this protection is as necessary in practice for efficient work as it is just in theory, and if the plan is adopted of appointing consuls after they are found to be qualified for the respective classifications of the Consular Service they will seldom, if ever, be dropped from the service for the purpose of supplying their places with political favorites.

The required examination for appointment and promotion creates an impediment in the way of those who may demand office as a reward for political partisanship, without having adequate knowledge of the duties of this peculiar branch of the public service.

Each consul must on frequent occasions be the judge of his proper line of action without aid or direction from the minister to whom he is required to report or from the Department of State. In such cases it is requisite to the



honor and security of the Government that the consul should be well informed as to his duties.

The right of the President to select from the whole body of consuls any man for any place he may prefer, and to assign him to such place for duty, and to transfer him at pleasure to another place, is the full equivalent of the power of appointment to a particular office.

These functions are to be exercised in foreign countries, for the most part distant from the United States, and disconnect the incumbents from participation in our home politics.

In so far as they may be given as rewards for party services, they are a sort of pension system for men who have not been successful in getting offices at home or who have failed of success in the usual channels of business.

The consular system should be based upon the plan of personal qualification for its important and peculiar duties, ascertained by the examination and experience of those employed in it, rather than upon the plan of selecting those for this service who have failed in other pursuits or those who desire to go abroad for purposes of travel, recreation, or amusement.

This is the only branch of the public service that has been used to any great extent for the gratification of the incumbents, without regard to their capacity to render efficient service to the country, and it is time that our policy in respect of these offices was changed.

Taken in the aggregate, there is no class of representatives of our Government who can so seriously affect our commerce with other countries, in their actual and direct conduct and dealings, as our consuls and commercial agents.

We should encourage our best classes of people to qualify themselves for this important service by giving them just compensation for their work and by securing them in these offices during good behavior.

They have much to do with the dignity of our Government, its credit in foreign lands, the honor of its flag, and the safety of its citizens.

Since Mr. Morgan made the report just given, a portion of the Consular Service has been classified in accordance with an Executive order, which is as follows:

#### EXECUTIVE ORDER.

It being of great importance that the consuls and commercial agents of the United States shall possess the proper qualifications for their respective positions, to be ascertained either through a satisfactory record of previous actual service under the Department of State or through an appropriate examination:

It is hereby ordered that any vacancy in a consulate or commercial agency now or hereafter existing, the salary of which is not more than \$2,500 nor less than \$1,000, or the compensation of which, if derived from official fees, exclusive of notarial and other unofficial receipts, does not exceed \$2,500 nor fall below \$1,000, shall be filled (a) by a transfer or promotion from some other position under the Department of State of a character tending to qualify the incumbent for the position to be filled; or (b) by appointment of a person not under the Department of State but having previously served thereunder to its satisfaction in a capacity tending to qualify him for the position to be filled; or (c) by the appointment of a person who, having furnished the customary evidence of character, responsibility, and capacity, and being thereupon selected by the President for examination, is found upon such examination to be qualified for the position.

For the purposes of this order notarial and unofficial fees shall not be regarded, but the compensation of a consulate or commercial agency shall be ascertained, if the office is salaried, by reference to the last preceding appropriation act, and if the office is not salaried, by reference to the returns of official fees for the last preceding fiscal year.

The examination hereinbefore provided for shall be by a board of three persons designated by the Secretary of State, who shall also prescribe the subject to which such examinations shall relate and the general mode of conducting the same by the board.

A vacancy in a consulate will be filled at discretion only when a suitable appointment can not be made in any of the modes indicated in the second paragraph of this order.

GROVER CLEVELAND.

EXECUTIVE MANSION, *September 20, 1895.*

It will be seen that this provides only partially for the Consular Service and does not diminish the need of the comprehensive reorganization proposed by the

accompanying bill; in fact, the scheme proposed in the bill is an extension of that established by the Executive order, and gives not only complete reorganization, but the authority of law to the classification, which now rests merely on a departmental order.

## INFORMATION REGARDING APPOINTMENTS AND PROMOTIONS IN THE CONSULAR SERVICE OF THE UNITED STATES.

### REGULATIONS GOVERNING APPOINTMENTS AND PROMOTIONS—EXECUTIVE ORDERS.

Whereas the Congress, by section 1753 of the Revised Statutes of the United States, has provided as follows:

“The President is authorized to prescribe such regulations for the admission of persons into the civil service of the United States as may best promote the efficiency thereof, and ascertain the fitness of each candidate in respect to age, health, character, knowledge, and ability for the branch of service into which he seeks to enter; and for this purpose he may employ suitable persons to conduct such inquiries, and may prescribe their duties, and establish regulations for the conduct of persons who may receive appointments in the civil service.”

And whereas the Congress has classified and graded the consuls general and consuls of the United States by the act entitled “An act to provide for the reorganization of the Consular Service of the United States,” approved April 5, 1906, and has thereby made it practicable to extend to that branch of the civil service the aforesaid provisions of the Revised Statutes and the principles embodied in the civil-service act of January 16, 1883:

Now, therefore, in the exercise of the powers conferred upon him by the Constitution and laws of the United States, the President makes the following regulations to govern the selection of consuls general and consuls in the civil service of the United States, subject always to the advice and consent of the Senate:

1. Vacancies in the office of consul general and in the office of consul above class 8 shall be filled by promotion from the lower grades of the Consular Service, based upon ability and efficiency as shown in the service.

2. Vacancies in the office of consul of class 8 and of consul of class 9 shall be filled—

(a)<sup>1</sup> By promotion, on the basis of ability and efficiency as shown in the service, of consular assistants<sup>2</sup> and of vice consuls, deputy consuls, consular agents, student interpreters, and interpreters in the Consular or Diplomatic Service who shall have been appointed to such offices upon examination.

(b) By new appointments of candidates who have passed a satisfactory examination for appointment as consul, as hereafter provided.

3. Persons in the service of the Department of State with salaries of \$2,000 or upward shall be eligible for promotion, on the basis of ability and efficiency as shown in the service, to any grade of the Consular Service above class 8 of consuls.

4. The Secretary of State, or such officer of the Department of State as the President shall designate, the Director of the Consular Service,<sup>3</sup> the Chief of the Consular Bureau,<sup>1</sup> and the chief examiner of the Civil Service Commission, or some person whom said commission shall designate, shall constitute a board of examiners for admission to the Consular Service.

5. It shall be the duty of the board of examiners to formulate rules for and hold examinations of applicants for admission to the Consular Service.

6. The scope and method of the examinations shall be determined by the board of examiners, but among the subjects shall be included at least one modern language other than English; the natural, industrial, and commercial resources and the commerce of the United States, especially with reference to the possibilities of increasing and extending the trade of the United States with foreign countries; political economy; elements of international, commercial, and maritime law.

7. Examination papers shall be rated on a scale of 100, and no person rated at less than 80 shall be eligible for certification.

8. No one shall be examined who is under 21 or over 50 years of age, or who is not a citizen of the United States, or who is not of good character and habits and physically and mentally qualified for the proper performance of consular

<sup>1</sup> As amended by Executive orders of Dec. 12, 1906, and Apr. 20, 1907.

<sup>2</sup> As amended by the act approved May 21, 1908.

<sup>3</sup> As amended by Executive order of Dec. 8, 1909.



work, or who has not been specially designated by the President for appointment to the Consular Service subject to examination.

9. Whenever a vacancy shall occur in the eighth or ninth class of consuls which the President may deem it expedient to fill the Secretary of State shall inform the board of examiners, who shall certify to him the list of those persons eligible for appointment, accompanying the certificate with a detailed report showing the qualifications, as revealed by examination, of the persons so certified. If it be desired to fill a vacancy in a consulate in a country in which the United States exercises extraterritorial jurisdiction, the Secretary of State shall so inform the board of examiners, who shall include in the list of names certified by it only such persons as have passed the examination provided for in this order and who also have passed an examination in the fundamental principles of the common law, the rules of evidence, and the trial of civil and criminal cases. The list of names which the board of examiners shall certify shall be sent to the President for his information.

10. No promotion shall be made except for efficiency, as shown by the work that the officer has accomplished, the ability, promptness, and diligence displayed by him in the performance of all his official duties, his conduct, and his fitness for the Consular Service.

11.<sup>1</sup> It shall be the duty of the board of examiners to formulate rules for and hold examinations of persons designated for appointment as consular assistant<sup>2</sup> or as student interpreter, and of such persons designated for appointment as vice consul, deputy consul, and consular agent, as shall desire to become eligible for promotion. The scope and method of such examination shall be determined by the board of examiners, but it shall include the same subjects hereinbefore prescribed for the examination of consuls. Any vice consul, deputy consul, or consular agent now in the service, upon passing such an examination, shall become eligible for promotion, as if appointed upon such examination.

12. In designations for appointment subject to examination and in appointments after examination, due regard will be had to the rule, that as between candidates of equal merit, appointments should be so made as to secure proportional representation of all the States and Territories in the Consular Service; and neither in the designation for examination or certification or appointment will the political affiliations of the candidate be considered.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *June 27, 1906.*

---

No officer or employee of the Government shall, directly or indirectly, instruct or be concerned in any manner in the instruction of any person or classes of persons, with a view to their special preparation for the examinations of the boards of examiners for the Diplomatic and Consular Services.

The fact that any officer or employee is found so engaged shall be considered sufficient cause for his removal from the service.

WM. H. TAFT.

THE WHITE HOUSE, *December 23, 1910.*

#### REGULATIONS GOVERNING EXAMINATIONS PROMULGATED BY THE BOARD OF EXAMINERS DECEMBER 13, 1906.

1. The examinations will be the same for all grades and will be to determine a candidate's eligibility for appointment in the Consular Service, irrespective of the grade for which he may have been designated for examination and without regard to any particular office for which he may be selected.

2. The examinations will consist of an oral and a written one, the two counting equally. The object of the oral examination will be to determine the candidate's business ability, alertness, general contemporary information, and natural fitness for the service, including moral, mental, and physical qualifications, character, address, and general education and good command of English. In this part of the examination the applications previously filed will be given due weight by the board of examiners, especially as evidence of the applicant's business experience and ability. The written examination will include those

---

<sup>1</sup> As amended by Executive order of Dec. 12, 1906.

<sup>2</sup> As amended by the act approved May 21, 1908.



subjects mentioned in the Executive order, to wit, at least one modern language other than English—French, German, or Spanish;<sup>1</sup> the natural, industrial, and commercial resources and the commerce of the United States, especially with reference to possibilities of increasing and extending the foreign trade of the United States; political economy, and the elements of international, commercial, and maritime law. It will likewise include American history, government, and institutions; political and commercial geography; arithmetic (as used in commercial statistics, tariff calculations, exchange, accounts, etc.); the modern history, since 1850, of Europe, Latin America, and the Far East, with particular attention to political, commercial, and economic tendencies. In the written examination, composition, grammar, punctuation, spelling, and writing will be given attention.

3. To become eligible for appointment, except as student interpreter, in a country where the United States exercises extraterritorial jurisdiction, the applicant must pass the examination outlined above, but supplemented by questions to determine his knowledge of the fundamental principles of common law, the rules of evidence, and the trial of civil and criminal cases.

4. The examinations to be given candidates for appointment as student interpreters will follow the same course as in the case of other consular officers; provided, however, that no one will be examined for admission to the Consular Service as a student interpreter who is not between the ages of 19 and 26, inclusive, and unmarried; and provided further, that upon appointment each student interpreter shall sign an agreement to continue in the service so long as his services may be required within a period of five<sup>2</sup> years.

5. Upon the conclusion of the examinations the names of the candidates who shall have attained upon the whole examination an average mark of at least 80, as required by the Executive order, will be certified by the board to the Secretary of State as eligible for appointment in the Consular Service, and the successful candidates will be informed that this has been done.

6. The names of candidates will remain on the eligible list for two years, except in the case of such candidates as shall within that period be appointed or as shall withdraw their names and of candidates holding subordinate positions in the Consular Service, when eligibility shall not expire until appointment to consular rank or until separation from the service. Candidates whose names have thus been dropped from the eligible list will not again be eligible for appointment unless upon fresh application, designation anew for examination, and the successful passing of the second examination.<sup>3</sup>

#### INFORMATION FOR APPLICANTS.

The next Consular Service examination will probably not be held until the spring of 1913.

Consular Service examinations are held in Washington only.

Blank forms of application for appointment may be had upon application to the Department of State.

Although designations for examination are made by the President, applications for appointment should be addressed to the Secretary of State.

Applications are considered as pending for a period of two years. After such period has elapsed without their being acted upon another application with indorsements will be necessary to obtain for them further consideration.

Applicants for appointment, in their correspondence with the department, should always sign their names as given in their applications without enlargement or contraction.

A candidate is not designated for examination with a view to his appointment to a particular post, but in order to determine his eligibility for appointment to such a post as in the judgment of the department his services would best serve the public interests.

No special training is accepted in lieu of the prescribed examination, and no transfers without examination are made to the Consular Service from other branches of the Government service. The successful passing of the regular entrance examination, except as provided for in regulations 2 and 3 of the Executive order of June 27, 1906, is necessary for appointment.

The department is not able definitely to forecast when vacancies in the service may occur.

<sup>1</sup> As amended by the board of examiners Feb. 18, 1911.

<sup>2</sup> As amended by the act approved May 21, 1908.

<sup>3</sup> As amended by the board of examiners Oct. 25, 1911.



Clerks in consular offices and vice and deputy consuls are appointed without examination, but are only eligible for appointment to the grade of consul upon the passing of the regular entrance examination.

Appointments to the Consular Service are made only after a rigid physical examination of the candidate.

It is not the practice of the department to designate for examination vice or deputy consuls or clerks in consulates until they have served at least two years.

The written language examinations include papers in French, German, and Spanish only.

Dependent upon the number of candidates, the examinations last from three to six days.

#### GENERAL INFORMATION REGARDING CONSULAR OFFICERS.

*Duties of consular officers.*—Consular officers are expected to endeavor to maintain and promote all the rightful interests of American citizens and to protect them in all privileges provided for by treaty or conceded by usage; to visa and, when so authorized, to issue passports; when permitted by treaty, law, or usage, to take charge of and settle the personal estate of Americans who may die abroad without legal or other representatives and remit the proceeds to the Treasury in case they are not called for by a legal representative within one year; to ship, discharge, and under certain conditions maintain and send American seamen to the United States; to settle disputes between masters and seamen of American vessels; to investigate charges of mutiny or insubordination on the high seas and send mutineers to the United States for trial; to render assistance in the case of wrecked or stranded American vessels, and, in the absence of the master or other qualified person, take charge of the wrecks and cargoes if permitted to do so by the laws of the country; to receive the papers of American vessels arriving at foreign ports and deliver them after the discharge of the obligations of the vessels toward the members of their crews and upon the production of clearances from the proper foreign port officials; to certify to the correctness of the valuation of merchandise exported to the United States where the shipment amounts to more than \$100; to act as official witnesses to marriages of American citizens abroad; to aid in the enforcement of the immigration laws and to certify to the correctness of the certificates issued by Chinese and other officials to Chinese persons coming to the United States; to protect the health of our seaports by reporting weekly the sanitary and health conditions of the ports at which they reside and by issuing to vessels clearing for use the United States bills of health describing the condition of the ports, the vessels, crews, passengers, and cargoes; and to take depositions and perform other acts which notaries public in the United States are authorized or required to perform. A duty of prime importance is the promotion of American commerce by reporting available opportunities for the introduction of our products, aiding in the establishment of relations between American and foreign commercial houses, and lending assistance wherever practicable to the marketing of American merchandise abroad.

In addition to the foregoing duties, consular officers in China, Turkey, Siam, Maskat, Morocco, and a few other so-called non-Christian countries, are invested with judicial powers over American citizens in those countries. These powers are usually defined by treaty, but generally include the trial of civil cases to which Americans are parties, and in some instances extend to the trial of criminal cases.

*Vice consular officers.*—A vice consular officer takes the place and exercises all the functions or powers of a consul general or consul when the latter is temporarily absent or relieved from duty. He receives no salary except in the absence of the consul general or consul, when he receives one-half of that officer's salary (in the absence of an agreement to the contrary). For the period during which the consul general or consul may be absent beyond 60 days and the time necessary to make the journey to and from the United States, the vice consular officer receives the entire salary of the office. It is usual to give a vice consul regular employment as a clerk in the consular office, in which case he receives regular compensation at the rate of from \$300 to \$1,500 a year, according to the importance of the office and the nature of the work to be performed. For such appointments no examination is required, but to become eligible for promotion to the grade of consul a vice consular officer must successfully pass the prescribed entrance examination.



*Deputy consular officers.*—A deputy consular officer is a subordinate of a consul general or consul, under whose supervision he exercises consular functions, usually of a routine character. He never assumes the responsible charge of the office, that being the duty of the vice consul. His compensation is limited to that which he may receive for performing duties as clerk, and varies from \$300 to \$1,500 a year, according to the importance of the post. For such appointments no examination is required, but to become eligible for promotion to the grade of consul a deputy consular officer must successfully pass the prescribed entrance examination.

*Consular agents.*—A consular agent is an officer subordinate to a consul general or consul, exercising similar powers at ports or places different from those at which the consulate general or consulate is situated. He acts under the direction of his principal, and one-half of the fees collected by him constitute his compensation, which may not exceed \$1,000 in any one year.

*Consular assistants.*—There are 30 consular assistants, who are appointed by the President and hold office during good behavior. They may be assigned from time to time to such consular offices and with such duties as the Secretary of State may direct. When so assigned they are subordinate to the principal officer at the post, and perform such clerical or other duties of the office as he may designate. They receive a salary of \$1,000 a year for the first three years, and thereafter \$200 a year additional each succeeding year until a maximum of \$1,800 is reached. Candidates for the office of consular assistant must be over 18 years of age. Consular assistants are eligible for promotion to the grade of consul without further examination.

*Clerks in consular offices.*—Clerks are employed at the various consular offices and receive compensation varying, as a rule, from \$300 to \$1,500 a year, beginning with their arrival and entrance upon duty at the consular office. Their duties embrace bookkeeping, letter writing, recording correspondence, and routine consular work. They are frequently appointed upon nomination of a consul general or consul, but the Department of State exercises its right to make independent appointments whenever that course appears to be in the interest of the service. Preference is given to American citizens for clerkships of all grades, and only such citizens will be considered for appointment to positions the compensation of which is \$1,000 a year or more.

For such appointments no examination is required, but to become eligible for promotion to the grade of student interpreter, consular assistant, or consul a clerk in a consular office must successfully pass the prescribed entrance examination.

Applications for clerical appointments should be filed with the Department of State. In view, however, of the fact that such appointments are frequently made upon the nomination of the principal officer under whom service is to be rendered, direct correspondence with the principal officer at the post in which the applicant particularly desires to serve is also advisable.

*Student interpreters.*—Provision is made for 10 student interpreters at the legation to China, 6 at the embassy to Japan, and 10 at the embassy to Turkey. These officers receive annual salaries of \$1,000 and allowances for tuition of \$125 each, and are required to study the language of the country with a view of supplying interpreters to the American diplomatic and consular offices in China, Japan, and Turkey. Upon receiving an appointment each student interpreter is required to sign an agreement to continue in the service as interpreter to the legations and consulates so long as his services may be required within a period of five years. After acquiring the language of the country they may be assigned to duty in diplomatic or consular offices, and are eligible to promotion to the office of interpreter and to that of consul of class 8 or 9.

A special pamphlet has been prepared by the department regarding the student-interpreter corps. Copies will be furnished upon request.

*Marshals for consular courts.*—Marshals are provided for certain of the consular courts in China and at Constantinople, Turkey, where the American consuls are invested with judicial powers over American citizens. It is the duty of marshals to execute all process issued by the ambassador or minister of the United States, or by the consuls at the ports at which they reside, and to make due return thereof, and to perform the duties comprehended in the consular court regulations. They are also required to assist in the general work of the consulates.

*Compensation of consular officers.*—All consular officers whose respective salaries exceed \$1,000 a year are prohibited from engaging in private business in the country in which they have their official residence, and the department may



extend this prohibition to any other consular officer or employee. Consular officers are required to account for all fees collected by them, and the salaries fixed by law or regulation constitute their sole and only compensation, except as specially provided in the case of consular agents, who are compensated, up to the limit of \$1,000, by one-half of the fees collected by them.

*Traveling expenses.*—Consuls general, consuls, and student interpreters are entitled to additional compensation of 5 cents a mile when traveling under orders of the Secretary of State and in going to and returning from their posts, except in connection with leaves of absence. Consular assistants are allowed actual and necessary traveling expenses, but no provision is made for traveling expenses of clerks in consular offices.

*Examinations.*—As will be seen by reference to the foregoing regulations for promotion and examination, all candidates for the offices of consul of class 8 or 9, consular assistant, and student interpreter, and also candidates for the offices of vice and deputy consular officer and consular agent who may desire to become eligible for promotion are required to pass the prescribed examination. Candidates for the offices of vice and deputy consular officer and consular agent who do not desire to become eligible for promotion, and of clerk in a consular office, are not required to be examined.

#### SAMPLE EXAMINATION FOR THE CONSULAR SERVICE.

[Examinations of April, 1912.]

*First subject, international, maritime, and commercial law.*

Persons examined for consular assistant and student interpreter will answer six (and only six) of the following questions:

1. (a) Distinguish between citizenship and domicile. (b) Name three ways in which citizenship may be terminated.

2. In the absence of treaty stipulations, what effect will the return of a naturalized citizen of the United States to his native country have with regard to liability to military service?

3. (a) A vessel being overdue, her owners took out insurance to cover vessel and cargo. It subsequently appeared that when such insurance was taken out the vessel had already been wrecked and the cargo lost. Can the owners collect the insurance? (b) What rate of insurance may legally be charged on a respondentia bond?

4. Discuss the question of the right of a neutral power to have commercial dealings with a belligerent.

5. What is the modern practice with reference to private property of citizens of one belligerent power found within the territory of the other belligerent?

6. What is the practice with reference to private property found on the high seas under the following circumstances: (1) Neutral goods, not contraband, under an enemy's flag; (2) enemy's goods, not contraband, under a neutral flag; (3) contraband goods under a neutral flag and consigned to a neutral port?

7. A, the holder of a promissory note made by B and indorsed by C, accepted from B, on the day the note fell due, a check dated six days later, which check was to be in full satisfaction of the note. The check proved worthless when presented on the day of its date, and B failed to pay the note. Has A a right of action against C, the indorser? Why?

8. (a) Define bill of lading, invoice, power of attorney, and bill of exchange. (b) Under what circumstances, if any, may a bank avoid liability for the payment of a forged check?

*Second subject, political and commercial geography.*

Persons examined for consular assistant and student interpreter will answer four (and only four) of the following questions:

1. (a) Name five seaports on the east coast of Asia north of Singapore and exclusive of Japan. (b) Locate (1) the Gulf of Bothnia; (2) the Black Sea; (3) the Kongo River; (4) Lake Athabasca; (5) Lake Nyasa.

2. (a) Name two principal silk-producing countries. (b) Give two leading exports of (1) Argentina, (2) Australia, (3) Norway, (4) India.

3. (a) Name the two river valleys which produce the most rubber. (b) What two countries are the greatest manufacturers of steel? (c) What are the two greatest cotton-producing countries in the world?

4. (a) To what countries, respectively, do the following belong: (1) The Bermudas; (2) Iceland; (3) the Gallipagos Islands; (4) the Caroline Islands; (5) Madagascar? (b) In what country is each of the following-named cities: (1) Asuncion; (2) Adelaide; (3) Fez; (4) Teheran; (5) Liege?

5. Name eight bodies of water through which a ship would pass on a direct voyage from Baltimore to Odessa.

Third subject, arithmetic.

1. The following table shows the number of passengers departing from seaports of the United States for foreign countries during a period of six years. Find the "total number of passengers departed" for each of the years given in the table and the "grand total" for all the years.

Year.	Cabin passengers.		Passengers other than cabin.		Total number pas- sengers departed.
	Under 12 years.	12 years and over.	Under 12 years.	12 years and over.	
1898.....	8,891	85,663	15,790	115,067	.....
1899.....	11,042	117,205	15,283	112,478	.....
1900.....	17,758	138,137	23,001	114,498	.....
1901.....	13,972	134,592	19,010	139,150	.....
1902.....	13,074	145,078	20,323	148,325	.....
1903.....	11,959	156,725	22,477	184,100	.....
Grand total.....	.....	.....	.....	.....	.....

2. Make in the form below an itemized statement of the following account as it should appear taken from the books of Robert Rant; make a proper heading; close the account; and bring down the balance as it should have appeared February 1, 1911:

During the month of January, 1911, Russel & Son had the following transac- tions with Robert Rant. January 1, he owed them on account \$98.75. January 2, he gave them his note due in 20 days for \$50. January 4, he sold them 280 pounds of coffee at 30½ cents per pound. January 5, he bought of them 369 bushels corn at 68 cents per bushel. January 6, he sold them 2,750 feet lumber at \$16.40 per thousand. January 8, he transferred to them by indorsement a note of \$400, less a discount of \$4. January 25, he bought of them 2,650 pounds of sugar at 4½ cents per pound, agreeing to pay the freight also at 18 cents per 100 pounds, the freight to be prepaid by them. January 29, they sold him 5,600 pounds coal at \$6.30 per ton of 2,240 pounds.

———— in account with ———.

	Dr.	Dolls.	Cts.		Cr.	Dolls.	Cts.
.....				.....			
.....				.....			
.....				.....			

3. A merchant bought goods for \$2,058. For how much money must they be marked to sell in order that he may give a trade discount of 12½ per cent, lose 16⅔ per cent by bad debts, and still make a gain of 14⅔ per cent of the cost?

4. The duty on certain woven fabrics in the piece is as follows:

If weighing not over one-third ounce per square yard, \$4 per pound.

If weighing over one-third ounce but not over two-thirds ounce per square yard, \$3 per pound.

If weighing over two-thirds ounce but not over 1 ounce per square yard, \$2.65 per pound.

If weighing over 1 ounce per square yard, \$2.50 per pound.

What is the duty on an importation of such fabrics containing 79.200 meters, three-fourths yard wide, the total weight of the importation being 1,200 kilos?

1 meter=39.37 inches; 1 kilo=2.046 pounds.)

(All the work of determining the rate of duty must be given in full, absolute exactness being required. Compute the duty on the nearest whole number of pounds in the importation.)



*Fourth subject, modern languages.*

Make a close translation of one (and only one) of the following into idiomatic English:

HABANA, 5 de Julio, 1911.

SRES. J. H. Y CA, *Lóndres*.

MUY SRES. MIOS: Me ha mencionado nuestro amigo comun el Sr. D. J. R., capitan de la "Libertad", su casa de Uds. en Lóndres como una de las mas respetables; me amparo pues de esta ocasion para entablar correspondencia con Uds., tomándome la libertad de remitirles adjunta la factura de embarque de 12 barriles de azúcar, cargados para Lóndres con dirección á la casa de Uds. sobre el navio el "William and Mary," capitán T. Tengan Uds. á bien el operar la venta de dichas mercancías con arreglo á mis mejores intereses, guardando entre manos el producto neto á mi disposición. La calidad es excelente, y espero que el resultado de este ensayo no será sino el comenzamiento á consignaciones de mas importancia. Para meterme al abrigo de toda pérdida he hecho asegurar el montante de dichas mercancías. Suplico á Uds. tengan la bondad de informarme, por cada correo, del estado de su mercado en ron, azúcar, café y algodón, y enviarme los precios corrientes de sus exportaciones para esta parte del mundo. Me aprovecho de esta ocasion para ofrecerles á Uds. mis servicios en esta isla, refiriéndoles para mi solvabilidad al capitán Ribero que debe llegar á Lóndres uno de estos dias.

Esperando de Uds. prontas noticias me repito de Uds. atto. y S. S.

J. S.

KINGSTON, JAMAÏQUE, le 5 Juillet, 1911.

MESSIEURS V. ET FILS à *Anvers*.

Notre ami commun, M. J. Roberts, capitaine du "Trelawney", m'ayant mentionné votre maison à Anvers comme une de plus respectables, je saisis cette occasion pour entamer une correspondance avec vous, en prenant la liberté de vous adresser ci-inclus le connaissance de douze tonneaux de sucre, chargés pour Londres à votre adresse, sur le navire "William et Mary", capitaine John Gray. Veuillez opérer la vente de cette marchandise au mieux de mes intérêts, en gardant en vos mains le produit net à ma disposition. La qualité est excellente, et j'espère que le résultat de ce petit essai sera un encouragement à des consignations plus considérables. Pour me garder de toute perte j'ai fait assurer le montant ici: ceci pour votre gouverne. Je vous prie de me renseigner par chaque paquebot sur l'état de votre marché pour le rhum, le sucre, le café, et le coton, ainsi que de m'envoyer les prix-courants de vos exportations pour cette partie du monde. Je saisis cette occasion pour vous faire l'offre de mes services dans cette île, m'en référant pour ma solidité à M. le capitaine Roberts, qui doit être arrivé maintenant à Anvers. Dans l'attente de vos prochaines nouvelles, je vous prie, Messieurs, de me croire,

Votre tout dévoué,

W. E. G.

PERNAMBUCO, 1. Juni 1911.

HERRN J. J., *London*.

Wir erlauben uns, Ihnen heirdurch anzuzeigen, dass wir unter der Firma S. & R. und mit dem Beistande unsrer Freunde, (der) Herren D. C. & Co. in London, ein Agenturgeschäft auf hiesigem Platze begründet haben. Da unser Herr S. während der letzten elf Jahre in verschiedenen Gegenden Südamerikas gewohnt, und unser Herr R. den grössten Teil seines Lebens in Oporto, Lissabon und andern Städten Portugals zugebracht hat, so hegen wir die Überzeugung, das Erfahrung und Platzkenntnis uns in den Stand setzen, in allen Fällen, in denen Sie unsrer Dienste bedürfen sollten, Ihnen völlige Zufriedenheit zu gewähren. Wir werden Vorkehrungen treffen, uns über den Stand der Märkte zu Bahia und Rio de Janeiro regelmässig unterrichtet zu halten, zu dem Zwecke, jeden Vorteil, den dieselben bieten mögen, wahrzunehmen, um Ladungen in Schiffen, die Auftrag erhalten hatten, hier für Order anzulaufen, weiter zu dirigieren. Es wird in solchen Fällen unsre beständige Sorge sein, das Interesse unsrer Freunde nach besten kräften zu fördern. Wir erlauben uns, Referenzen beizufügen und Sie, wenn Sie uns mit Ihren Aufträgen beehren, unsres Eifers und unsrer Aufmerksamkeit zu versichern. Indem wir Sie ersuchen, von unsrer Unterschrift Notiz zu nehmen, zeichnen wir ergebenst,

S. & R.

Make an idiomatic translation of the following into the language chosen by you above:

CHICAGO, *December 17, 1911.*

Mr. A. M., *Florence, Italy.*

SIR: We are in receipt of your favor of the 14th inst., and regret very much our inability to reduce the prices that we quoted. We should be sorry if the price list furnished interfered in any way with our entering into business relations with your firm, with which we have long desired to cooperate. Your offers, however, are so much below prices current that we prefer to lose an order rather than to cut our profits below a paying basis. For two months past textiles have been looking up, and, in line with other manufacturers, we should rather raise than lower quotations. In fact, we have decided to revise our price list on January 1, and prices will be, on an average, 5 per cent higher. We would advise you, therefore, to avail yourself of present favorable conditions by sending us an order at the prices quoted you, and we trust that you may see your way clear to do this. Awaiting your reply, we are.

Your obedient servants,

B. & C.

*Optional.*

[N. B.—After completing the foregoing prescribed test a candidate may, if he so desires, make the following translations. An added credit will be given for the additional work performed. The language selected in the preceding test should also be selected in this test.]

Make a close translation of one (and only one) of the following into idiomatic English:

El mundo de las ilusiones, que es, como si dijéramos, un segundo mundo, se viene abajo con estrépito. El misticismo en religión, la rutina en la ciencia, el amaneramiento en las artes, caen como cayeron los dioses paganos: entre burlas. Adiós, sueños torpes; el género humano despierta, y sus ojos ven la claridad. El sentimentalismo vano, el misticismo, la fiebre, la alucinación, el delirio, desaparecen, y el que antes era enfermo, hoy está sano, y se goza con placer indecible en la justa apreciación de las cosas. La fantasía, la terrible loca, que era el ama de la casa, pasa á ser criada. Dirija usted la vista á todos lados, señor Penitenciario, y verá el admirable conjunto de relaidad que ha sustituido á la fábula. El cielo no es una bóveda, las estrellas no son farolillos, la luna no es una cazadora traviesa, sino un pedrusco opaco: el sol no es un cochero emperejilado y vagabundo, sino un incendio fijo. Las sirtes no son ninfas, sino dos escollos; las sirenas son focas; y en el orden de las personas, Mercurio es Manzanedo; Marte es un viejo barbilampiño, el conde de Molke; Néstor puede ser un señor de gabán que se llama monsieur Thiers; Orfeo es Verdi; Vulcano es Krupp; Apollo es cualquier poeta. Quiere usted más? Pues Júpiter, un Dios digno de ir á presidio si viviera aún, no descarga el rayo, sino que el rayo cae cuando á la electricidad le da la gana. No hay Parnaso, no hay Olimpo, no hay lagun Estigia, ni otros Campos Eliseos que los de Paris. No hay ya más bajada al Infierno que las de la geología, y este viajero, siempre que vuelve, dice que no hay condenados en el centro de la tierra. No hay más subidas al cielo que las de la astronomía, y ésta, á su regreso, asegura no haber visto los seis ó siete pisos de que hablan el Dante y los místicos y soñadores de la Edad Media.

Mais c'est un examen de conscience que vous me demandez, cher ami. Et cependant, je n'hésite pas une seconde à vous répondre.

Oui, je suis fière, heureuse, et cela à plein cœur, de la façon dont je vais être fêtée. Vous me demandez, ami, si je crois en toute conscience que je mérite cet honneur. Si je dis oui, vous me croirez bien orgueilleuse; si je dis non, vous me jugerez bien coupable.

Il me plaît davantage vous dire les "pourquoi" de ce "parce que." Voilà vingt-neuf ans que je livre au public les vibrations de mon âme, les battements de mon cœur, les larmes de mes yeux. J'ai interprété cent douze rôles, j'ai créé trente-huit personnifications, dont seize sont œuvres de poètes. J'ai lutté comme pas un être humain n'a lutté. De nature indépendante, exécrant le mensonge, je me suis créé des ennemis acharnés. Ceux que j'ai daigné combattre, je les ai vaincus et pardonnés. Ils sont devenus mes amis. La boue que me jetaient les autres tombait en poussière séchée par le soleil brûlant de ma foi et de ma volonté.

J'ai voulu, j'ai voulu ardemment arriver au summum de l'art; je n'y suis pas encore: il me reste bien moins à vivre que je n'ai vécu; mais qu'importe!



Chaque pas me rapproche de mon rêve! Les heures qui ont pris leur vol emportant ma jeunesse m'ont laissé ma vaillance et ma gaieté; car mon but est le même et c'est vers lui que je vais.

J'ai traversé les Océans emportant mon rêve d'art en moi, et le génie de ma nation a triomphé! J'ai planté le verbe français au cœur de la littérature étrangère, et c'est ce dont je suis le plus fière. Grâce à la propagande de mon art, la langue française est aujourd'hui langue courante de la jeune génération.

SARAH BERNHARDT.

Mein Vater war ein streng rechtlicher Ehrenmann. Aus bitterer Armuth hatte er sich durch eigene Anstrengung zum Wohlstande erhoben. Rastlos thätig, dachte er nur darauf, seine Handlung zu behaupten, zu erweitern, vielen hundert Fabrikanten Erwerb zu verschaffen, und uns, seinen Kindern, ein unabhängiges Leben zu sichern. Er arbeitete täglich zehn, oft wohl auch elf Stunden, nur seine Baue zogen ihn bisweilen auf einzelne Stunden ab, sonst nichts in der Welt. Er war zum Kaufmann geboren, aber in einem bessern Sinn: kleinliche Nebenvortheile verschmähte er, und ich glaube, es wäre ihm unmöglich gewesen Detailhändler zu sein. Nie benutzte er die häufige Gelegenheit, durch Concursvermittlung reicher zu werden; er wandelte stets auf gerader Bahn, und konnte zürnen, wenn seine Diener auf den Messen in seiner Abwesenheit die Käufer übertheuerten.—Einfach, wie die Grundsätze seines Lebens, war sein Aeusseres. Die Mobilien blieben fast unverändert: das ererbte Silberzeug behielt seine Form: nur auf feines Tuch hielt er und auf guten Rheinwein. Frugal war sein Tisch: die hohen Festtage abgerechnet, stets nur ein Gericht; Abends oft nur Kartoffeln oder Rettig. Wein nur Sonntags, ausser im Sommer Abends auf dem Garten. Tractamente etwa jährlich eins, dann liess sich aber Vater Haupt nicht schimpfen. Champagner konnte er nicht leiden, dieser kam sehr selten. Dagegen alter Rheinwein, Ungar und Bischof von Burgunder. Sonntägliche Spaziergänge ins Feld, dann und wann eine Spazierfahrt unterbrochen die sich immer gleiche Lebensweise. Uebrigens war er gastfrei; sehr oft kamen auswärtige Handelsfreunde, und die Lieblingsfactors nahm er von der Schreibstube nicht selten zum Mittag-mahl mit.

Make an idiomatic translation of the following into the language chosen by you above:

The action of the scientific bodies which recently met in Washington looking to the appointment of an international commission to investigate the high cost of living throughout the world is worthy of commendation.

It is not likely, however, that any such commission will discover a definite remedy for the high prices that are prevailing throughout the world. Were the conditions due to any one cause, a remedy might be suggested. So many causes have influenced the high prices that the commission might have to be given powers over life and death and human character to bring about any appreciable change.

The world and its people have been moving forward. The desire for luxuries and good service has increased. The world has been specializing, and more money is in circulation. The man who was satisfied with \$12 a week 10 years ago, and who could lay aside a few dollars for a rainy day, now receives \$25 and is unable to lay aside a penny. It is not so much that the purchasing power of money has decreased as it is that the desires of man have increased.

*Fifth subject, natural, industrial, and commercial resources and commerce of the United States.*

Persons examined for consular assistant and student interpreter will answer the first and two (and only two) of the remaining questions:

1. Discuss, in not less than 300 nor more than 500 words, one (and only one) of the following industries of the United States: Petroleum; bituminous coal; leather goods, including boots and shoes—with reference, particularly, to volume, exportation, and centers of production and of exportation.

2. Name four States leading in value of manufactures and give two of their principal articles of manufacture.

3. Name the principal articles of commerce between the United States and Chile; Russia; South Africa; Cuba; Japan. Distinguish exports from imports.

4. What three products of the Pacific coast, in your opinion, will be benefited by the opening of the Panama Canal, and why?

*Sixth subject, political economy.*

Persons examined for consular assistant and student interpreter will answer four (and only four) of the following questions:

1. State the three main factors of production and briefly discuss their relation to each other.
2. Discuss international trade in regard to (a) its origin and (b) its influence upon international policies.
3. (a) State three economic benefits of large-scale production. (b) What factor ultimately fixes monopoly prices?
4. (a) Give four reasons why the precious metals best serve as a medium of exchange. (b) In what sense may fiat money be considered a creation of wealth?
5. Write not less than 200 words on either of the following subjects: (a) The economic value of universal international arbitration. (b) The economic advantages of labor unions to the laborer.

*Seventh subject, American history, government, and institutions.*

Persons examined for consular assistant and student interpreter will answer four (and only four) of the following questions:

1. (a) Describe Wolfe's campaign against Quebec and state the results. (b) What was the ordinance of 1787? To what territory did it apply?
2. (a) Describe the events which led up to the War of 1812. (b) Explain the following historical terms: (1) Monroe Doctrine, (2) Dorr's Rebellion, (3) the Omnibus bill, (4) Mugwumps.
3. Write a brief account (of not more than 300 words) of the territorial growth of the United States since the adoption of the Constitution.
4. (a) Describe one method of amending the Constitution of the United States. (b) In what cases shall the Supreme Court of the United States have original jurisdiction?
5. (a) Mention two important functions usually exercised by the governor of a State. (b) Mention three powers that are expressly denied to the several States by the Federal Constitution.

*Eighth subject, modern history (since 1850) of Europe, South America, and the Far East.*

Persons examined for consular assistant and student interpreter will answer three (and only three) of the following questions:

1. (a) Compare the first decade of Napoleon III's reign with the second. (b) What war was terminated by the Treaty of Prague? Mention two important provisions of this treaty.
2. (a) Discuss the Boxer War as to its causes and results. (b) What effect has the English occupation of Egypt had upon that country?
3. (a) In what war did each of the following battles or sieges occur and which nation or nations were victorious: (1) Balaklava, (2) Sedan, (3) Sea of Japan? (b) What two Provinces were recently annexed by Austria-Hungary?
4. (a) Explain the following historical terms: (1) Boers, (2) Young Turks, (3) Home Rule, (4) Taiping Rebellion. (b) Give a brief account of the attempt of Maximilian to establish a monarchy in Mexico.

ACT TO PROVIDE FOR THE REORGANIZATION OF THE CONSULAR SERVICE OF THE UNITED STATES, APPROVED APRIL 5, 1906, AS AMENDED BY THE ACT APPROVED MAY 11, 1908.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consular system of the United States be reorganized in the manner hereinafter provided in this act.

SEC. 2. That the consuls general and the consuls of the United States shall hereafter be classified and graded as hereinafter specified, with the salaries of each class herein affixed thereto.<sup>1</sup>

<sup>1</sup> Classification of consuls general and consuls as amended by "An act to amend an act entitled 'An act to provide for the reorganization of the consular service of the United States,' approved April fifth, nineteen hundred and six," approved May 11, 1908.



## CONSULS GENERAL.

Class one, twelve thousand dollars.—London, Paris.

Class two, eight thousand dollars.—Berlin, Habana, Hongkong, Hamburg, Rio de Janeiro, Shanghai.

Class three, six thousand dollars.—Calcutta, Cape Town, Constantinople, Mexico City, Montreal, Ottawa, Vienna, Yokohama.

Class four, five thousand five hundred dollars.—Antwerp, Barcelona, Brussels, Canton, Frankfort, Marseille, Moscow, Panama, Rotterdam, Seoul, Sydney (Australia), Tientsin.

Class five, four thousand five hundred dollars.—Auckland, Beirut, Boma, Buenos Aires, Callao, Coburg, Dresden, Genoa, Guayaquil, Halifax, Hankau, Mukden, Munich, Singapore, Vancouver, Winnipeg, Zurich.

Class six, three thousand five hundred dollars.—Adis Ababa, Bogota, Budapest, Guatemala, Lisbon, Monterey, San Salvador,<sup>1</sup> Smyrna, Stockholm, Tangier.

Class seven, three thousand dollars.—Athens, Christiania, Copenhagen.

## CONSULS.

Class one, eight thousand dollars.—Liverpool.

Class two, six thousand dollars.—Manchester.

Class three, five thousand dollars.—Amsterdam, Bremen, Dawson, Belfast, Havre, Johannesburg, Kobe, Lourenço Marquez, Lyon.

Class four, four thousand five hundred dollars.—Amoy, Birmingham, Chefoo, Cienfuegos, Fuchau, Glasgow, Kingston (Jamaica), Newchwang, Nottingham, Saint Gall, Santiago, Southampton, Vera Cruz, Valparaiso.

Class five, four thousand dollars.—Bahia, Bombay, Bordeaux, Colon, Dublin, Dundee, Harbin, Leipzig, Milan, Nanking, Naples, Nuremberg, Para, Pernambuco, Plauen, Reichenberg, Santos, Stuttgart, Toronto Tsingtau, Victoria, Warsaw.

Class six, three thousand five hundred dollars.—Alexandria, Apia, Barmen, Barrenquilla, Basel, Berne, Bluefields, Bradford, Chemnitz, Chungking, Cologne, Dalny, Durban, Edinburgh, Fiume, Geneva, Georgetown, Guadelajara, Mannheim, Montevideo, Nagasaki, Odessa, Palermo, Port Elizabeth, Prague, Quebec, Rangoon, Rheims, Rimouski, Rome, Saint Petersburg, Saloniki, Sherbrooke, Vladivostok.

Class seven, three thousand dollars.—Aix la Chapelle, Aleppo, Barbados, Batavia, Belgrade, Burslem, Calais, Calgary, Carlsbad, Catania,<sup>2</sup> Colombo, Corinto, Dunfermline, Florence, Frontera, Ghent, Hamilton (Ontario), Hanover, Harput, Huddersfield, Iquitos, Iquique, Jerusalem, Karachi, Kehl, La Guaira, Leghorn, Liege, Madras, Malaga, Managua, Melbourne, Nantes, Nassau, Newcastle (New South Wales), Newcastle (England), Port Antonio, Punt Arenas, Port au Prince, Riga, Sandakan, Progreso, Seville, Saint John (New Brunswick), Saint Michaels, Saint Thomas (West Indies), San Jose, Sheffield, Swansea, Sydney (Nova Scotia), Tabriz, Tampico, Tamsui, Trieste, Trinidad.

Class eight, two thousand five hundred dollars.—Acapulco, Aden, Algiers, Antung, Batum, Belize, Bergen, Breslau, Brunswick, Cardiff, Chihuahua, Ciudad Juarez, Ciudad Porfiro Diaz, Cognac, Cork, Curacao, Erfurt, Gibraltar, Gothenburg, Hamilton (Bermuda), Hull, Jerez de la Frontera, Kingston (Ontario), Leeds, Limoges, Madrid, Magdeburg, Malta, Maracaibo, Martinique, Matamoros, Mazatlan, Mersine, Nice, Nogales, Nuevo Laredo, Orillia, Owen Sound, Plymouth, Port Limon, Prescott, Puerto Cortez, Rosario, Roubaix, Saint Johns (Newfoundland), Saint Etienne, San Luis Potosi, Sarnia, Sault Sainte Marie, Stettin, Swatow, Tamatave, Tegucigalpa, Teneriffe, Trebizond, Tripoli, Valencia, Windsor (Ontario), Yarmouth, Zanzibar.

Class nine, two thousand dollars.—Aguascalientes, Asuncion, Bagdad, Bristol, Campbellton, Cape Gracias, Cape Hatien, Cartagena, Ceiba, Charlottetown, Cornwall, Durango, Ensenada, Fernie, Fort Erie, Goree-Dakar, Grenoble, Guadeloupe, Hermosillo, Hobart, La Paz, Manzanillo, Maskat, Moneton, Niagara Falls, Patras, Port Louis, Puerto Cabello, Puerto Plata, Rouen, Saigon, Saint Johns (Quebec), Saint Pierre, Saint Stephen, Salina Cruz, Saltillo, Sierra Leone, Sivas, Stavan-ger, Suva, Tahiti, Tapachula, Turin, Turks Island, Venice.

<sup>1</sup> By the act making appropriations for the Diplomatic and Consular Service, approved May 21, 1908, the provision for consul general at San Salvador was repealed and the combined office of secretary of legation and consul general at San Salvador created.

<sup>2</sup> By the act approved Feb. 3, 1909, the consulate at Messina was transferred to Catania.



SEC. 3. That the offices of vice consuls general, deputy consuls general, vice consuls, and deputy consuls shall be filled by appointment, as heretofore, except that whenever, in his judgment, the good of the service requires it, consuls may be designated by the President without thereby changing their classification to act for a period not to exceed one year as vice consuls general, deputy consuls general, vice consuls, and deputy consuls; and when so acting they shall not be deemed to have vacated their offices as consuls. Consular agents may be appointed, when necessary, as heretofore. The grade of commercial agent is abolished.

SEC. 4. That there shall be five inspectors of consulates, to be designated and commissioned as consuls general at large, who shall receive an annual salary of five thousand dollars each, and shall be paid their actual and necessary traveling and subsistence expenses while traveling and inspecting under instructions from the Secretary of State. They shall be appointed by the President, with the advice and consent of the Senate, from the members of the consular force possessing the requisite qualifications of experience and ability. They shall make such inspections of consular offices as the Secretary of State shall direct, and shall report to him. Each consular office shall be inspected at least once in every two years. Whenever the President has reason to believe that the business of a consulate or a consulate general is not being properly conducted and that it is necessary for the public interest, he may authorize any consul general at large to suspend the consul or consul general, and administer the office in his stead for a period not exceeding ninety days. In such case the consul general at large so authorized shall have power to suspend any vice or deputy consular officer or clerk in said office during the period aforesaid. The provisions of law relating to the official bonds of consuls general, and the provisions of sections seventeen hundred and thirty-four, seventeen hundred and thirty-five and seventeen hundred and thirty-six, Revised Statutes of the United States, shall apply to consuls general at large.

SEC. 5. No person who is not an American citizen shall be appointed hereafter in any consulate general or consulate to any clerical position the salary of which is one thousand dollars a year or more.

SEC. 6. Sections sixteen hundred and ninety-nine and seventeen hundred of the Revised Statutes of the United States are hereby amended to read as follows:

“SEC. 1699. No consul general, consul, or consular agent receiving a salary of more than one thousand dollars a year shall, while he holds his office, be interested in or transact any business as a merchant, factor, broker, or other trader, or as a clerk or other agent for any such person to, from, or within the port, place, or limits of his jurisdiction, directly or indirectly, either in his own name or in the name or through the agency of any other person; nor shall he practice as a lawyer for compensation or be interested in the fees or compensation of any lawyer; and he shall in his official bond stipulate as a condition thereof not to violate this prohibition.

“SEC. 1700. All consular officers whose respective salaries exceed one thousand dollars a year shall be subject to the prohibition against transacting business, practicing as a lawyer, or being interested in the fees or compensation of any lawyer contained in the preceding section. And the President may extend the prohibition to any consul general, consul, or consular agent whose salary does not exceed one thousand dollars a year or who may be compensated by fees, and to any vice or deputy consular officer or consular agent, and may require such officer to give a bond not to violate the prohibition.”

SEC. 7. That every consular officer of the United States is hereby required, whenever application is made to him therefor, within the limits of this consulate, to administer to or take from any person any oath, affirmation, affidavit, or deposition, and to perform any other notarial act which any notary public is required or authorized by law to do within the United States; and for every such notarial act performed he shall charge in each instance the appropriate fee prescribed by the President under section seventeen hundred and forty-five, Revised Statutes.

SEC. 8. That all fees, official or unofficial, received by any officer in the Consular Service for services rendered in connection with the duties of his office or as a consular officer, including fees for notarial services, and fees for taking depositions, executing commissions or letters rogatory, settling estates, receiving or paying out moneys, caring for or disposing of property, shall be accounted for and paid into the Treasury of the United States, and the sole and only compensation of such officers shall be by salaries fixed by law; but this shall not



apply to consular agents, who shall be paid by one half of the fees received in their offices, up to a maximum sum of one thousand dollars in any one year, the other half being accounted for and paid into the Treasury of the United States. And vice consuls general, deputy consuls general, vice consuls, and deputy consuls, in addition to such compensation as they may be entitled to receive as consuls or clerks, may receive such portion of the salaries of the consul general or consuls for whom they act as shall be provided by regulation.

SEC. 9. That fees for the consular certification of invoices shall be, and they hereby are, included with the fees for official services for which the President is authorized by section seventeen hundred and forty-five of the Revised Statutes to prescribe rates or tariffs; and sections twenty-eight hundred and fifty-one and seventeen hundred and twenty-one of the Revised Statutes are hereby repealed.

SEC. 10. That every consular officer shall be provided and kept supplied with adhesive official stamps, on which shall be printed the equivalent money value of denominations and to amounts to be determined by the Department of State, and shall account quarterly to the Department of State for the use of such stamps and for such of them as shall remain in his hands.

Whenever a consular officer is required or finds it necessary to perform any consular or notarial act he shall prepare and deliver to the party or parties at whose instance such act is performed a suitable and appropriate document as prescribed in the consular regulations and affix thereto and duly cancel an adhesive stamp or stamps of the denomination or denominations equivalent to the fee prescribed for such consular or notarial act, and no such act shall be legally valid within the jurisdiction of the Government of the United States unless such stamp or stamps is or are affixed and canceled.

SEC. 11. That this act shall take effect on the thirtieth day of June, nineteen hundred and six.

SEC. 12. That all acts or parts of acts inconsistent with this act are hereby repealed.

Approved, April 5, 1906.

---

#### INFORMATION REGARDING APPOINTMENTS AND PROMOTIONS IN THE DIPLOMATIC SERVICE OF THE UNITED STATES.

#### REGULATIONS GOVERNING APPOINTMENTS AND PROMOTIONS IN THE DIPLOMATIC SERVICE AND FOR THE IMPROVEMENT OF THE PERSONNEL OF THE DEPARTMENT OF STATE.

Whereas the Congress, by section 1753 of the Revised Statutes of the United States, has provided as follows:

“The President is authorized to prescribe such regulations for the admission of persons into the civil service of the United States as may best promote the efficiency thereof, and ascertain the fitness of each candidate in respect to age, health, character, knowledge, and ability for the branch of service into which he seeks to enter; and for this purpose he may employ suitable persons to conduct such inquiries, and may prescribe their duties, and establish regulations for the conduct of persons who may receive appointments in the civil service.”

And whereas it is deemed best for the public interest to extend to the Diplomatic Service the aforesaid provision of the Revised Statutes and the general principles embodied in the civil-service act of January 16, 1883:

(1) The Secretary of State is hereby directed to report from time to time to the President, along with his recommendations, the names of those secretaries of the higher grades in the Diplomatic Service who by reason of efficient service have demonstrated special capacity for promotion to be chiefs of mission.

(2) There shall be kept a careful efficiency record of every officer of the Diplomatic Service, in order that there may be no promotion except upon well-established efficiency as shown in the service, and that retention in the service may be conditioned upon the officers' maintaining a degree of efficiency well up to the average high standard which the interests of the service demand.

(3) Initial appointments from outside the service to secretaryships in the Diplomatic Service shall be only to the classes of third secretary of embassy, or, in case of higher existent vacancies, of second secretary of legation, or of secretary of legation at such post as has assigned to it but one secretary.



Vacancies in secretaryships of higher classes shall be filled by promotion from the lower grades of the service, based upon efficiency and ability as shown in the service.

(4) To make it more practicable to extend to the appointment, promotion, transfer, or retention of secretaries in the Diplomatic Service the civil-service principle of promotion on the basis of efficiency as shown in the service, and in order that the action of the department may be understood by the officers concerned, all secretaryships in the Diplomatic Service shall be graded according to the importance, volume, difficulty, or other aspects of the work done by each mission in proportion to the number of men allotted to it, and this classification shall be made known to the members of the service.

(5) A person separated from a secretaryship in the Diplomatic Service without delinquency or misconduct at his own request in writing may, within a period of one year from the date of such separation, be reinstated in the grade from which he was separated, provided he shall have been originally appointed after the prescribed examination for that grade. In the event, however, that such separation shall be for the purpose of undertaking other work under the Department of State, the limitation of one year for eligibility for reinstatement shall not hold. This rule shall be applicable as regards reinstatements to the Consular Service and also to the Department of State when transfers shall have been to another branch of the foreign service.

(6) The Assistant Secretary of State, the Solicitor for the Department of State, the Chief of the Diplomatic Bureau, and the Chief of the Bureau of Appointments, and the Chief Examiner of the Civil Service Commission or some person whom the commission shall designate, or such persons as may be designated to serve in their stead, are hereby constituted a board whose duty it shall be to determine the qualifications of persons designated by the President for examination to determine their fitness for possible appointment as secretaries of embassy or legation.

(7) The examination herein provided for shall be held in Washington at such times as the needs of the service require. Candidates will be given reasonable notice to attend, and no person shall be designated to take the examination within 30 days of the time set therefor.

(8) The examinations shall be both oral and in writing, and shall include the following subjects: International law, diplomatic usage, and a knowledge of at least one modern language other than English, to wit, French, Spanish, or German; also the natural, industrial, and commercial resources and the commerce of the United States, especially with reference to the possibilities of increasing and extending the trade of the United States with foreign countries; American history, government, and institutions; and the modern history since 1850 of Europe, Latin America, and the Far East. The object of the oral examination shall also be to determine the candidate's alertness, general contemporary information, and natural fitness for the service, including mental, moral, and physical qualifications, character, address, and general education and good command of English. In this part of the examination the applications previously filed will be given due weight by the board of examiners. In the determination of the final rating the written and oral ratings shall be of equal weight. A physical examination shall also be included as supplemental.

(9) Examination papers shall be rated on a scale of 100, and no person with a general rating of less than 80 shall be certified as eligible.

No person shall be certified as eligible who is under 21 or over 50 years of age, or who is not a citizen of the United States, or who is not of good character and habits and physically, mentally, and temperamentally qualified for the proper performance of diplomatic work, or who has not been specially designated by the President for appointment to the diplomatic service, subject to examination and subject to the occurrence of an appropriate vacancy.

(10) Upon the conclusion of the examinations, the names of the candidates who shall have attained upon the whole examination the required mark will be certified by the board to the Secretary of State as eligible for appointment.

(11) The names of candidates will remain on the eligible list for two years, except in the case of such candidates as shall within that period be appointed or shall withdraw their names. Names which have been on the eligible list for two years will be dropped therefrom, and the candidates concerned will not again be eligible for appointment unless upon fresh application, designation anew for examination, and the successful passing of such second examination.

(12) Applicants for appointment who are designated to take an examination



and who fail to report therefor shall not be entitled to take a subsequent examination, unless they shall have been specifically designated to take such subsequent examination.

In designations for appointment subject to examination and in appointments after examination, due regard will be had to the rule, that as between candidates of equal merit, appointments should be made so as to tend to secure proportional representation of all the States and Territories in the diplomatic service; and neither in the designation for examination or certification or appointment after examination will the political affiliations of the candidates be considered.

(13) The board of examiners is authorized to issue such notices and to make all such rules as it may deem necessary to accomplish the object of this regulation.

(14) Transfers from one branch of the foreign service to another shall not occur except upon designation by the President for examination and the successful passing of the examination prescribed for the service to which such transfer is made. Unless the exigencies of the service imperatively demand it, such person to be transferred shall not have preference in designation for the taking of the examination or in appointment from the eligible list, but shall follow the course of procedure prescribed for all applicants for appointment to the service which he desires to enter. To persons employed in the Department of State at salaries of \$1,800 or more, the preceding rule shall not apply, and they may be appointed, on the basis of ability and efficiency, to any grade of the diplomatic service.

(15) The Secretary of State may, as provided by Rule III of the present Civil Service Rules, request the Civil Service Commission to hold special examinations for the position of clerk of class 2 or above in the Department of State, such examination to follow generally and so far as the Secretary of State shall deem practicable, the lines of the present foreign-service examinations.

(16) In the case of promotions in the Department of State to the grades of clerk of class 2 or above, the Secretary of State may require the passing of an examination in the general nature of the present Diplomatic or Consular Service examinations.

(17) With further reference to the matter of promotions in the Department of State, the Secretary of State is directed to cause to be kept, as a guide in determining the promotion or retention of the personnel, a careful record of the efficiency of each clerk in the department.

WM. H. TAFT.

THE WHITE HOUSE, *November 26, 1909.*

---

#### EXECUTIVE ORDER.

No officer or employee of the Government shall, directly or indirectly, instruct or be concerned in any manner in the instruction of any person or classes of persons, with a view to their special preparation for the examination of the boards of examiners for the Diplomatic and Consular Service.

The fact that any officer or employee is found so engaged shall be considered sufficient cause for his removal from the service.

WM. H. TAFT.

THE WHITE HOUSE, *December 23, 1910.*

---

#### INFORMATION FOR APPLICANTS.

Diplomatic Service examinations are not held at regularly stated periods, but only at such times as it is deemed expedient to replenish the list of those eligible for such appointment. The dates of the holding of examinations are publicly announced through the press.

Although designations for examination are made by the President applications for appointment should be addressed to the Secretary of State.

An application is considered as pending for a period of two years. After such period has elapsed without its being acted upon, another application with indorsements will be necessary to obtain for it further consideration.

Applicants for appointment in their correspondence with the department should always sign their names as given in their applications, without enlargement or contraction.

A candidate is not designated for examination with a view to his appointment to a particular post, but in order to determine his eligibility for appointment to such a post as in the judgment of the department his services would best serve the public interest.

No special training is accepted in lieu of the prescribed examination.

The department is not able definitely to forecast when vacancies in the service may occur.

Blank forms of application for appointment may be had upon application to the Department of State.

For information concerning the appointment of clerks in diplomatic missions see page 8.

#### POSTS IN THE AMERICAN DIPLOMATIC SERVICE.

Congressional provision is made for the appointment of the following diplomatic officers:

Ambassadors extraordinary and plenipotentiary to Austria-Hungary, Brazil, France, Germany, Great Britain, Italy, Japan, Mexico, Russia, and Turkey, at \$17,500 each.

Envoys extraordinary and ministers plenipotentiary to the Argentine Republic, Belgium, Chile, China, Cuba, the Netherlands and Luxemburg, and Spain, at \$12,000 each.

Envoys extraordinary and ministers plenipotentiary to Colombia, Costa Rica, Guatemala, Honduras, Nicaragua, Panama, Peru, Salvador, and Venezuela, at \$10,000 each.

Envoys extraordinary and ministers plenipotentiary to Denmark, Morocco, Norway, Paraguay and Uruguay, Portugal, Roumania, and Servia, and diplomatic agent in Bulgaria, Sweden, and Switzerland, at \$10,000 each.

Envoy extraordinary and minister plenipotentiary to Greece and Montenegro, \$10,000.

Envoys extraordinary and ministers plenipotentiary to Bolivia, Ecuador, Haiti, Persia, and Siam, at \$10,000 each.

Minister resident and consul general to the Dominican Republic, \$10,000.

Minister resident and consul general to Liberia, \$5,000.

Agent and consul general at Cairo, \$6,500.

Secretaries of embassy to Austria-Hungary, Brazil, Great Britain, France, Germany, Italy, Japan, Mexico, Russia, and Turkey, at \$3,000 each.

Secretaries of legation to the Argentine Republic, Belgium, Chile, China, Cuba, the Netherlands and Luxemburg, and Spain, at \$2,625 each.

Secretaries of legation to Bolivia, Colombia, Costa Rica, Denmark, the Dominican Republic, Ecuador, Guatemala, Honduras, Liberia, Morocco, Nicaragua, Norway, Panama, Peru, Portugal, Sweden, Switzerland, and Venezuela, at \$2,000 each.

Secretary of legation to Salvador and consul general to San Salvador, \$2,000.

Secretary of legation to Siam and consul general at Bangkok, \$2,000.

Secretary of legation to Greece and Montenegro, \$2,000.

Secretary of legation to Paraguay and Uruguay, \$2,000.

Secretary of legation and consul general to Roumania and Servia, who shall also be secretary of the diplomatic agency in Bulgaria, \$2,000.

Secretary of legation to Persia, who shall be an American student of the language of that country, \$2,000.

Second secretaries of embassy to Austria-Hungary, Brazil, Great Britain, France, Germany, Italy, Mexico, and Russia, at \$2,000 each.

Second secretary of embassy to Japan, \$2,000.

Second secretary of legation to China, \$1,800.

Second secretary of embassy to Turkey, who shall be an American student of the language of that court and country, \$2,000.

Second secretary of legation to Cuba, \$1,800.

Third secretaries of embassy to Great Britain, France, Mexico, Germany, and Russia, at \$1,200 each.

Third secretary of embassy to Japan, who shall be an American student of the Japanese language, \$1,200.

Third secretary of embassy to Turkey, who shall be an American student of the Turkish language, \$1,200.



## GENERAL INFORMATION REGARDING SECRETARIES IN THE DIPLOMATIC SERVICE.

Secretaries of embassy or legation are intrusted with the duty of transcribing the official communications of the head of the mission and of recording the same in books to be carefully preserved with the archives of the office, and are expected to perform such other duties of an official character as may be required of them by their chief of mission. The classification and indexing of the originals of all dispatches, notes, and official communications, the custody of the records, books, seal, and cipher of the embassy or legation are also under their control, subject to the general supervision and direction of the head of the mission. They are also authorized by statute to administer oaths, take depositions, and generally to perform notarial acts.

All diplomatic officers are allowed to draw on the Secretary of State at the rate of 5 cents per mile for the distance required to be traveled in direct transit to or from their posts, but not while traveling on leave of absence. They are also allowed compensation at the rate of their salary for the time spent in transit within a maximum period fixed for the post.

When a secretary of legation acts as *chargé d'affaires ad interim* he is allowed, in addition to his salary as secretary, the difference between such salary and 50 per cent of the salary of the chief of the mission.

The statutory leave of absence granted to diplomatic officers annually is 60 days, but it rests with the department to determine whether the leave may be granted. When leave of absence with permission to visit the United States is granted, the transit time, within a maximum period allowed, is not counted as part of the 60 days.

## INFORMATION REGARDING CLERICAL APPOINTMENTS IN THE DIPLOMATIC SERVICE.

Clerks are employed at the various diplomatic missions and receive compensation varying, as a rule, from \$1,000 to \$1,800 a year. Their duties embrace bookkeeping, letter writing, recording correspondence, and routine chancery work. They are frequently appointed upon nomination of a chief of mission, but the Department of State exercises its right to make independent appointments whenever that course appears to be in the interest of the service. Under the law American citizens only may be appointed to clerkships in American diplomatic missions.

For such appointments no examination is required, but to become eligible for promotion to the grade of secretary of embassy or legation a clerk in a diplomatic mission must successfully pass the prescribed entrance examination.

Applications for clerical appointments should be filed with the Department of State. In view, however, of the fact that such appointments are frequently made upon the nomination of the principal officer under whom service is to be rendered, direct correspondence with the principal officer at the post in which the applicant particularly desires to serve is also advisable.

A blank form of application for such an appointment may be had upon application to the Department of State.

The following questions are furnished as suggestive of the character of those comprised in the examination, for the taking of which two days of six hours each are allowed:

## SUBJECT—INTERNATIONAL LAW.

1. (a) State the origin and nature of international law and indicate the chief factors in its modern development.

(b) What is the status of international law in American jurisprudence; i. e., is it regarded as a branch of municipal law or is it considered a foreign system?

(c) State some of the leading writers in international law, enumerate some textbook on the subject, and state what books you would refer to if a question of international law arose with which you are unfamiliar.

2. (a) Upon the execution of Louis XVI. the British Government refused to receive the French diplomatic agent, and sent him his passports. Was the action of the British Government correct?

(b) Napoleon III began suit in the Supreme Court of the United States. Upon his dethronement and the establishment of the French Republic on September 3, 1870, it was contended that the suit abated by reason of the deposition

of the Emperor Napoleon. What, in your opinion, should be the holding on this point?

(c) Cotton owned by the Confederate States was shipped to their agents in Liverpool, who paid the expenses of transportation, took possession of the cotton, stored it in warehouses, and guarded it at considerable expense. Upon the fall of the Confederacy the United States filed a bill, praying to have the cotton delivered to a duly constituted agent of the United States. The agents of the Confederacy seek to enforce a lien on the cotton for their expenses. How, in your opinion, should the court decide?

3. (a) A local statute forbids fishing within the 3-mile limit without a license and forbids, under penalty of confiscation of the vessel, all fishing on Sunday. The sloop *Venturesome* began fishing Sunday morning beyond the 3-mile limit, but after the nets had been laid and the fish surrounded, the *Venturesome* drifted within the 3-mile limit and was apprehended while taking the fish from the nets placed beyond the 3-mile limit, but which had drifted within the limit. Upon suit brought for confiscation of the vessel, what, in your opinion, would be the holding of the court?

(b) Suppose the vessel had begun fishing within the 3-mile limit, and noticing the approach of a revenue cutter put to sea. The cutter followed, captured the *Venturesome* upon the high seas, brought it to port, and began condemnation proceedings. What, in your opinion, should be the holding of the court?

4. (a) A diplomatic agent driving his automobile at a rate of speed forbidden by law runs over and seriously injures a passer-by. The chauffeur is notified by the police to go with him to the police station, but refuses. The policeman thereupon arrests him, the diplomatic agent protesting that he must be driven at once to the State Department on important business for his Government. If consulted, what would you advise the diplomatic agent and the chauffeur as to their rights and duties in the premises?

(b) A diplomatic agent leases a house for the period of two years at an annual rental of \$5,000, payable monthly. The agent pays rent for the first three months, but thereafter neglects to pay the rent when due. At the expiration of a year the owner of the house seeks to evict the diplomat, and files an action to recover the rent due and damages for the breach of the lease. What, in your opinion, should be the result? Would it make any difference in your answer if instead of a diplomat the tenant was a consul general?

5. (a) The late President Castro proceeded to La Guaira upon a French merchant ship. Upon his arrival in La Guaira the Venezuelan authorities came aboard and demanded Castro, but the captain refused to deliver him. The Venezuelan authorities thereupon withdrew, and the captain, fearing that force would be used, transferred Castro to a French man-of-war lying in the harbor. Upon demand made upon the man-of-war to surrender Castro and refusal, a land battery opened fire upon the man-of-war. Discuss and distinguish the two situations.

(b) During the recent revolution in Constantinople one X, a member of the late Turkish Cabinet, applied to the American embassy for admission and was admitted. One Y, a member of the recent Government, indicted for the misappropriation of funds, secretly entered the American embassy. Z, an opponent of the revolution, pursued by a mob, seeks refuge in the American embassy. What should be the action of the American embassy in each of these cases?

Would it make any difference, in your opinion, if the events described had taken place in Paris upon the overthrow of Napoleon III or in Brazil upon the expulsion of Dom Pedro?

6. A Japanese army crosses the boundary between Korea and China at 1.30 a. m., on May 15, 19—. News of the invasion of China by Japanese forces does not reach Manila until May 17, 19—. On May 16, without any knowledge of the state of affairs created by the invasion of China, X, Y & Z, an American firm, shipped on board an American steamer a cargo of arms and ammunition, destined to a Chinese port, in fulfillment of a contract previously entered into. The vessel is captured by a Japanese cruiser on the ground that war existed between China and Japan. X, Y & Z asked the good offices of the American embassy at Tokyo to secure the release of the cargo on the ground that there was no declaration of war and the American shippers did not and could not know at the date of the shipment of the hostile relation between Japan and China. What advice would you give to the representative of X, Y & Z?

7. Discuss the effect of war upon trade; upon executory and executed contracts?

8. (a) Define contraband, state its divisions, and the penalty for its carriage if captured.



(b) Define blockade and note the conditions under which a declaration is valid as binding upon neutrals.

9. State the requirements of a valid capture of (a) enemy and (b) neutral property upon the high seas. State when title passes to captor in each case and the formalities requisite to give a perfect title to captured property.

10. (a) Enumerate some of the more important recent international conferences, and state some of their most important results.

(b) Explain the distinction between "good offices," "mediation," and "arbitration." Cite some American instances of arbitration, and explain the attitude of the United States toward arbitration.

(c) Give the general arbitration clause and explain why "independence, vital interests, and honor" are excluded from the obligation of arbitration provided for by recent treaties.

#### SUBJECT—DIPLOMATIC USAGE.

1. What official relations, if any, does a secretary of legation have with the Government of the country in which he resides?

2. Give your understanding of the difference between a chargé d'affaires, a chargé d'affaires ad interim, and a chargé des affaires.

3. A secretary of legation being in charge of the legation at the time of the arrival of a new minister, what part would the secretary of legation be called upon to take in the preliminaries preceding the minister's official reception?

4. The immunity from the criminal and civil jurisdiction of the country of his sojourn, which the diplomatic representative possesses, is also accorded to the secretary of the legation. On what ground?

5. What is the procedure in the case of an international convention to which a large number of Governments are signatory?

#### SUBJECT—MODERN LANGUAGES.

Make a close translation of one (and only one) of the following into idiomatic English:

AMBASSADE DE LA RÉPUBLIQUE  
FRANÇAISE AUX ETATS-UNIS,  
*Washington, le 15 Mai, 1902.*

MONSIEUR LE PRÉSIDENT:

J'ai reçu de mon Gouvernement le télégramme suivant:

"Le Président et le Gouvernement de la République française profondément émus de la sympathie que le Président, le Gouvernement, le Congrès et la Nation des Etats-Unis témoignent aux victimes de la catastrophe de la Martinique, vous chargent d'être auprès d'eux l'interprète de la reconnaissance qu'éprouve la Nation française toute entière pour cette généreuse assistance dont le souvenir demeurera impérissable."

En vous apportant l'expression des remerciements de M. le Président de la République et du Gouvernement français, je ne saurais vous dire assez, Monsieur le Président, combien je suis sensible à l'honneur d'être leur interprète auprès de vous.

Les sentiments traditionnels d'amitié, qui unissent les Etats-Unis à la France, ne se sont jamais manifestés avec plus d'éclat, mais, en montrant qu'il existe entre les nations comme entre les particuliers, des liens d'humanité et de pitié vous avez donné au monde civilisé un exemple qui restera dans la mémoire des hommes.

Agréez, je vous prie, Monsieur le Président, les assurances de ma haute et respectueuse considération.

JULES CAMBON.

MONSIEUR PRÉSIDENT DES ETATS-UNIS D'AMÉRIQUE.

EL EMBAJADOR DE FRANCIA

AL PRESIDENTE DEL CONSEJO DE MINISTROS,  
MINISTRO DE ESTADO.

*MADRID, 16 de Febrero de 1900.*

SR. PRESIDENTE:

El Ministro de Negocios Extranjeros de la República, á quien comuniqué la adhesión del Gobierno de S. M. á nuestra proposición de reanudar en París las negociaciones relativas á la delimitación de los territorios discutidos entre nuestros dos países en el Golfo de Guinea, me encarga manifieste á V. E. que está

disquesto por su parte á continuar inmediatamente esta negociación, poniéndose de acuerdo, al efecto, con el Sr. León y Castillo.

A su juicio, el Embajador de S. M. podría estar asistido, como él lo estará, por uno ó dos Delegados, á quienes incumbiría la preparación de las soluciones sobre las cuales habría luego que ponerse de acuerdo. Monsieur Delcassé está dispuesto á confiar este trabajo á un Agente de su Departamento, en unión de un funcionario de la Administración de las Colonias. V. E. apreciará si le es posible confiar igual encargo á uno de los miembros de la Embajada española en Paris y á un Delegado técnico para que exista igualdad en la representación de los dos países.

Por lo que respecta á las negociaciones en si mismas, el Ministro de Negocios Extranjeros de la República estima como V. E. que es preferible volver lo menos posible al examen de los títulos invocados por una y otra parte, ya que el estudio de que han sido objeto y la facultad de referirse á esta primera parte de los trabajos permiten reducir al minimum esta especie de información previa.

KAISERLICH DEUTSCHE BOTSCHAFT,  
*Washington, den 5. Juni, 1902.*

HERR STAATSSSEKRETÄR:

Emil Heiden-Heimer, Hopfenhandlung in Mainz, hatte an den in Monterey (Mexico) verstorbenen William Bischoff, Direktor der Cerveceria Cuanhthemoc daselbst, eine Darlehnsforderung von 300 Mark.

Herr Heiden-Heimer hat sich dieserhalb an den Kaiserlichen Vicekonsul in Monterey gewendet, welcher ihm unter dem 30. April d. J. mitgetheilt hat, dass der Generalkonsul der Vereinigten Staaten in Monterey erklärt habe, er könne nur die in Mexico kontrahirten Verbindlichkeiten des Verstorbenen decken, den danach verbleibenden Rest des Nachlasses werde er in den ersten Tagen des Mai d. J. an das Schatzamt der Vereinigten Staaten in Washington abführen. Die gedachte Schuldforderung sei desshalb durch die Behörden der Vereinigten Staaten geltend zu machen.

Auf den Antrag des Herrn Heiden-Heimer beehre ich mich Eurer Excellenz gefällige Vermittelung dafür ergebenst in Anspruch zu nehmen dass, die Forderung desselben von 300 Mark bei Regelung des Bischoff'schen Nachlasses berücksichtigt werde.

Indem ich einen bezüglichlichen Rechnungsauszug hier beifüge, benutze ich auch diesen Anlass, um Eurer Excellenz die Versicherung meiner ausgezeichnetsten Hochachtung zu erneuern.

HOLLEBEN.

Make an idiomatic translation of the following into the language chosen by you above:

DEPARTMENT OF STATE.  
*Washington, August 12, 1900.*

The Government of the United States learns with satisfaction of the appointment of Earl Li Hung Chang as envoy plenipotentiary to conduct negotiations with the powers, and will, on its part, enter upon such negotiations with a desire to continue the friendly relations so long existing between the two countries.

It is evident that there can be no general negotiation between China and the powers so long as the ministers of the powers and the persons under their protection remain in their present position of restraint and danger, and that the powers can not cease their efforts for the delivery of these representatives, to which they are constrained by the highest considerations of national honor, except under an arrangement adequate to accomplish a peaceable deliverance.

We are ready to enter into an agreement between the powers and the Chinese Government for a cessation of hostile demonstrations, on condition that a sufficient body of the forces composing the relief expedition shall be permitted to enter Peking unmolested and to escort the foreign ministers and residents back to Tientsin; this movement being provided for and secured by such arrangements and dispositions of troops as shall be considered satisfactory by the generals commanding the forces composing the relief expedition.

SUBJECT—NATURAL, INDUSTRIAL, AND COMMERCIAL RESOURCES AND COMMERCE OF THE UNITED STATES.

1. What causes have contributed to the growth of the iron and steel industries in the United States?

2. In 1855 the price per barrel of flour in New York was \$12; at the close of the century it was less than \$5. How was the decrease in price brought about?



3. (a) What is the rank of the United States in agriculture, mining, manufacturing, and merchant marine? (b) What is our rank in export trade?

4. State some of the requirements for the development of a large foreign commerce, and what countries are our chief competitors for foreign trade?

5. Name the States or cities as called for below which lead in the production or manufacture of the following:

Wheat (two States) -----  
 Rice (two States) -----  
 Tobacco (two States) -----  
 Meat products (two cities) -----  
 Leather (one city) -----  
 Glass (one city) -----  
 Gold (two States) -----  
 Silver (two States) -----  
 Sheep (two States) -----  
 Agricultural implements (one city) -----  
 Boots and shoes (city) -----  
 Cotton goods (State and city) -----

SUBJECT—AMERICAN HISTORY, GOVERNMENT, AND INSTITUTIONS.

1. How, when, and from whom was (a) the contiguous territory of the United States acquired; (b) the noncontiguous territory?

2. (a) By what treaty was the War of 1812 with Great Britain terminated? (b) When was that treaty signed and when was it ratified? (c) What important battle was fought after the treaty was signed, and by whom were the opposing forces in that battle commanded?

3. How is the President of the United States chosen, and what are the constitutional requirements for eligibility to the office?

4. Name the executive departments of the Federal Government, and state the principal functions of each.

5. Where in the American Government is the treaty-making power vested?

SUBJECT—MODERN HISTORY (SINCE 1850) OF EUROPE, SOUTH AMERICA, AND THE FAR EAST.

1. Briefly describe the features which have been noticeable in the government and development of South American Republics.

2. With what countries and events do you associate the following: Alexander II, Bismarck, Marquis Ito, Dom Pedro, Cecil Rhodes, Thiers, Garibaldi, Maximilian?

3. Briefly describe the form of government of the German Empire.

4. What causes led up to the Russo-Japanese War, and what were its results?

THE AMERICAN CONSULAR SERVICE.

[By Wm. J. Carr.]

[From the American Journal of International Law for October, 1907.]

The Consular Service of the United States has been for a long time the object of a great deal of criticism, some of which unfortunately has been well founded but much has been due to imperfect acquaintance with the legitimate functions of consuls and, therefore, to lack of ability to judge accurately of their shortcomings. It is of interest to note that of recent years the criticism has been for the most part confined to our own country, while from the people of other nations our consuls have received unstinted praise for their activity and efficiency, and our system has been frequently held up abroad as a model after which to reorganize some of the older European systems the virtues of which it has been the custom of our people to extol. But while it is true that in many respects our consuls have shown themselves the equals if not the superiors of the consuls of other nations, the fact remains that our service has been uneven in point of efficiency; there has been no satisfactory organization; little care has been exercised in the selection of persons for appointment; and

the salaries and equipment have been far from adequate. Repeated attempts to correct these defects have been made during a period dating almost from the beginning of the Government, but, with the exception of the improvements made in 1856, all these attempts have failed largely because they lacked the support of any considerable public sentiment.

The great majority of our people have been so busily engaged in the development of the immense resources of the country that until recently they have had little occasion to interest themselves in the character or usefulness of our representatives abroad. But the growth of our foreign commerce and the closer relations which our people enjoy with the peoples of other nations have given rise to a demand for a better consular service in response to which a law was passed last year making possible for the first time the organization of the consular system in a manner calculated to develop its efficiency and usefulness. The importance of that law can be more fully appreciated after a brief account of the condition of the Consular Service in the past and of the efforts made to improve it.

By the treaty of amity and commerce concluded with France on the 6th of February, 1778, the United States first formally recognized the right of consular representation. That treaty granted mutually the right of each nation to appoint in the ports of the other consuls, vice consuls, agents, and commissaries, and stipulated that their functions should be regulated by a particular agreement to be negotiated later. Unlike France, the United States did not at once take advantage of the rights conceded by the treaty, and continued to rely upon its political and commercial agents abroad for the performance of consular functions in case of need. The necessity for some officer to perform these functions had become apparent as early as 1776, when Silas Deane and Thomas Morris, who had been sent to France to represent the Colonies as political and commercial agents, found that they were not infrequently called upon to care for American seamen and vessels. After the arrival in Paris of Benjamin Franklin and Arthur Lee, who undertook with Deane the negotiations of the treaty of commerce, the purely consular duties, in addition to the purchase of supplies and the promotion of commerce, became so burdensome that they interfered seriously with the satisfactory discharge of the more important diplomatic work with which the commissioners were charged. Early in 1778 complaints from the commissioners began to reach Congress, and in May of that year John Adams, who had been elected a commissioner in place of Deane and had arrived in France in April, criticized severely the system of combining the business of a public minister with that of a commercial agent. In July the commissioners unanimously recommended to Congress the appointment of consuls, and the following year Franklin wrote:

"We have long since written to Congress advising and requesting that consuls might be appointed, and we have expected every day for some months intelligence of such appointments." (3 Wharton: Diplomatic Correspondence, p. 35.)

And again:

"Commercial agents \* \* \* and the captains are continually writing for my opinion or orders or leave to do this or that, by which much time is lost to them and much of mine taken up to little purpose from my ignorance." (3 Wharton: Diplomatic Correspondence, p. 191.)

Other agents wrote to like effect, but Congress does not appear to have made any effort to relieve the commissioners of their commercial functions until November 4, 1780, when it elected Col. William Palfrey, paymaster general of the Continental Armies, the first consul of the United States. Col. Palfrey was to reside in France and was to receive a salary of \$1,500 a year in lieu of the usual commissions for business done on account of the United States. His functions were to be similar to those of a consul general, and he was to have supervision of all fiscal matters of the United States in France. Unfortunately his ship was lost in a storm, and uncertain of what may have been his fate, Congress resolved January 21, 1781, that Thomas Barclay be appointed a vice consul to exercise "all the powers and perform the services required of William Palfrey." The vice consul was to be allowed a salary of \$1,000 a year in lieu of all commissions.

While by the treaty with France it had been agreed to receive and send consuls, there was nothing in any treaty or act of congress outlining their rights and duties, and inasmuch as France had promptly sent consuls to American ports, the extent of consular authority had become an important question. On February 23, 1779, the council of Massachusetts Bay asked Congress to define



the powers which might be exercised by foreign consuls in American ports, and a special committee was appointed to confer with M. Gérard, the French minister. That officer took advantage of the opportunity to present to Congress an outline of a convention based upon the section in relation to consuls in the treaty of 1778. In an accompanying memorial he set forth the difficulties experienced by foreign consuls in exercising their functions under the State governments which still retained within their control the legislative and administrative regulation, of foreign commerce, and many of the judicial powers which were later vested in the Federal Government. He also made clear the desire of France to secure a larger share of the trade of America than it then possessed.

Little progress was made, however, until July, 1781, when Luzerne, who had succeeded Gérard as minister, again brought the subject to the attention of Congress. (4 Wharton: *Diplomatic Correspondence*, p. 604.) In January of the following year a plan for a consular convention was adopted and forwarded to Franklin in Paris, with instructions granting him much discretion as to the form in which it might be agreed upon, but directing him especially to insist upon the substance of it. Franklin clearly disregarded the wishes of Congress and permitted the French negotiator to modify the plan in several important particulars before the convention was finally signed on July 29, 1784.

Although Congress had changed its opinion as to the desirability of concluding a consular convention, and had even forwarded instructions to Franklin to delay signing, the convention when received was referred to Jay, then minister for foreign affairs, for examination. It was found to be objectionable in several respects in that it was not only not in accord with the plan agreed upon by Congress, but gave to consuls jurisdiction over the vessels of their respective nations which would enable them to arrest and return to the home country any vessel, master, or seaman, to regulate emigration, and to exercise powers of a judicial nature which belonged properly to the courts. Personally Jay was unfavorable to a consular convention, but in the circumstances he recommended the negotiation of a new treaty which, after much delay, was signed on November 14, 1788, by Jefferson, who had succeeded Franklin as minister. The convention was unanimously ratified by the Senate the following year.

Jefferson returned to the United States and assumed the duties of Secretary of State on March 22, 1790, and upon him fell the task of organizing a consular system. His work was attended by many practical difficulties. Although Congress had for several years recognized the need of consular officers and provision for their appointment had been made by the Constitution which had been lately adopted, there was no law or regulation which in any way outlined a consular system or set forth the nature of consular duties. Even the policy of providing salaries for consuls inaugurated when Palfrey and Barclay had been elected to serve in France, had been abandoned by the resolution of 1785, which, in opposition to the repeated protests of Franklin and Adams, had combined the diplomatic and consular services by conferring the title of consul general upon ministers and *chargés d'affaires*. The lack of any consistent policy on the part of Congress was shown three months later when a consul was named for Canton, China, who was to serve without salary.

It was in this condition with not fixed method of appointment or compensation that Jefferson found the consular system when he assumed the direction of our foreign relations. The requirements of our commerce and shipping made it desirable to increase the number of consuls without waiting for the enactment of laws, and in less than three months after Jefferson became Secretary of State eight persons were appointed to consular offices, and by the latter part of August, 1790, 16 consular officers, 6 consuls, and 10 vice consuls had been appointed. They were to receive no compensation, but were permitted to engage in trade.

Jefferson undertook to define their duties in his circular of August 26, 1790 (*State Department, Foreign Letters*, p. 399), addressed to the consuls and vice consuls of the United States. He directed them to report to him every six months in detail concerning American vessels that may have entered or cleared from their respective ports, to supply him from time to time with political and commercial information of interest to the United States, and to report upon all military preparations that might take place in their ports, and should war appear imminent, to notify American merchants and vessels in order that they might be on their guard. Consuls were authorized to appoint agents to represent them in the several parts of their districts.

At the beginning of the next session of Congress the President asked the attention of that body to the consular convention with France, and the necessity



for legislation to carry its stipulations into effect, and also to the importance of providing regulations for the exercise of consular jurisdiction, whether permitted by treaty or by friendly indulgence. Although a bill for the purpose indicated in the President's address had been pending in Congress, the short session passed without anything being done, and it was not until April 14, 1792 (1 Stat. L., p. 256), that a law was enacted. This law, primarily for the purpose of carrying into effect the consular convention with France, was the first legislative attempt to define the powers and duties of consular officers. It authorized them to receive protests and declarations of captains, masters, crews, passengers, and merchants who might be American citizens; to authenticate copies of documents, to take charge of and settle the estates of American citizens dying abroad and leaving no legal representative, to care for American vessels that might become stranded on the coasts of their consulates, to receive certain fees for authenticating documents and settling estates, to relieve distressed American seamen, and to require masters of American vessels, under penalty of a fine, to convey such seamen to their homes without charge, on condition that the seamen should work during the passage, and to require the master of a vessel sold in a foreign port to provide for the return of the seamen thereon. The act also required consuls to give bond for the faithful discharge of their duties and obligations, permitted the payment of salaries of \$2,000 each to consuls in the Barbary States in case it should become necessary to appoint them, and authorized consuls to exercise such additional powers as might result from the nature of the office or from any treaty or convention under which they might act.

The duties of consuls in relation to seamen and vessels were enlarged by the act of February 28, 1803, and later acts, and the additional duty of administering oaths to exporters of merchandise upon which an *ad valorem* duty was collected in American ports was added by the act of March 1, 1823, but the act of 1792 continued for more than half a century to be the only law of importance in relation to consular officers.

While Congress had failed to make provision for anything in the nature of a consular system, Jefferson, before his retirement, had established general rules in accordance with which appointments were made and consular business conducted. In harmony with the views long before expressed by Franklin, Adams, Jay, and himself, he adopted the principle that none but American citizens should represent the United States as consuls. If it was found that no American citizen was available at a port where it was desirable to appoint a consular officer, a reputable foreign subject was chosen and made vice consul. As, with the exception of consulates in the Barbary States, no salaries were provided for these offices, the Americans available for appointment were, as a rule, engaged in mercantile or other pursuits.

In the appointment of merchant consuls, the United States had merely followed the practice of some of the continental nations, and was forced to contend with conditions much less favorable than those with which the older European nations had to deal. By reason of long-continued foreign intercourse, many subjects of those nations resided in foreign ports, were well established in trade, and were men of influence and responsibility. Commercial interests suffered little when confided to their care, and official remuneration bore a less important relation to their usefulness as consular representatives. But it was different with the United States. The Nation was new and our people had few prosperous commercial houses permanently established abroad. The Government was therefore unable for the most part to select from among its citizens in the various foreign ports persons whose circumstances enabled them to hold the office of consul and to discharge the duties in an efficient and satisfactory manner for the slender and uncertain emoluments derived from fees. A large majority of the persons appointed desired the office of consul for their own personal benefit. When an American citizen undertook to establish himself abroad in some commercial occupation in a port where the United States was not represented by a consular officer, it was usual for him to seek the prestige, with the consequent aid to his business enterprises, which his appointment as consul would afford. With the help of influential friends, whose solicitations it was not easy to resist, he was generally able to bring about his appointment. It was not unnatural that in many cases men so appointed should have regarded the office primarily as an aid in building up a profitable business, often at the expense of other merchants in the port, over whom the office of consul gave them undue advantage. Not infrequently their business ventures proved unsuccessful, and the emoluments of the consular office far below what they were led to ex-



pect. Alone in a foreign land amid such difficulties as these it is not strange that some of them were forced to resort to means of eking out a livelihood which injured and frequently destroyed their official usefulness.

The growth of the trade and the development of the commercial intercourse of the United States with foreign countries were accompanied by new duties and responsibilities for consular officers. In its desire to promote the interests of shipping, Congress was gradually enlarging consular jurisdiction over shipmasters and seamen, and in conferring these additional powers, without at the same time providing more effective means of exercising control over consuls, great opportunity for misconduct was afforded. Moreover, there was no uniform rule as to the manner in which these services were to be performed or the fees that should be charged for them. Some consuls charged one fee and some another, and the fact that the fees belonged to the officers collecting them gave encouragement to the growing practice of charging as large a fee as could without too great difficulty be collected, and led to endless controversies with masters of vessels and citizens in foreign ports.

The unsatisfactory conditions impressed those in authority with the necessity for a law to place the Consular Service upon a more dignified basis and make it reasonably amenable to administrative control.

The early advocates of reform directed their efforts toward the accomplishment of three things: (1) a revision and extension of the schedule of fees; (2) a more precise definition of the duties and powers of consuls; and (3) the substitution of salaries for the unsatisfactory and inadequate compensation derived from fees.

As early as 1816 a fruitless effort had been made by the Secretary of State to have fixed salaries for at least the more important consuls, but it fell to the lot of Mr. Van Buren, Secretary of State in 1830, to begin the series of reform movements which were to continue for so many years and finally result in the enactment of the general law of 1856. On February 10, 1830 (S. Rept. No. 57, 21st Cong., 2d sess.), and again the following year he called attention of the Senate Committee on Commerce to the necessity of at least defining the fees to be collected by consuls. He described existing practices, which, he said, produced great inconvenience and embarrassment to consuls, led to unpleasant collisions between them and their fellow citizens, and to endless criminations and recriminations on both sides, which tended to injure the national character of the United States in the estimation of foreigners and to bring the consular system into disrepute. Before preparing his recommendations Mr. Van Buren had obtained reports from many of the consuls, and with his communication of February 1, 1831 (S. Rept. No. 57, 21st Cong., 2d sess.), he transmitted a report from Daniel Strobel, then consul at Bordeaux, who compared the American system with the systems adopted by foreign nations, and pointed out that Great Britain, France, Spain, Portugal, and Russia, at that time the principal commercial nations, had succeeded in greatly improving their consular systems by reducing the number of fees, paying their consuls by fixed salaries, and prohibiting them from engaging in trade.

At the beginning of the next session of Congress, President Jackson called the particular attention of that body to the desirability of speedily revising all the laws relating to consuls, and announced his purpose of communicating at a later date a full report upon the subject from the Secretary of State. (Richardson: Messages and State Papers, vol. ii, p. 554.) Meanwhile, Mr. Van Buren had been succeeded by Edward Livingston, and upon him devolved the task of preparing some definite plan. How well he did the work was appreciated when on March 2, 1833, President Jackson laid his report before Congress. (S. Doc., No. 83, 22d Cong., 2d sess.) It was by far the ablest argument made by anyone up to that time in favor of a better organized and more adequately paid consular system, and it formed the basis of nearly all the important changes which were afterwards proposed. In regard to the existing system Mr. Livingston said:

"Our consuls, with very few exceptions, are commission merchants, anxious, like all other merchants, to increase their business and obtain consignments. In many, perhaps the greater number of cases, the place is sought for chiefly for the advantage and the influence it will give to extend the commercial affairs of the officer. Can it be believed that this official influence will always be properly exercised? When it is, will not contrary suspicions be entertained? This must create jealousy, detraction, and all the arts that rivalry will exercise and provoke, amidst which the dignity of the public officer is degraded and his influence with the foreign functionaries lost. The consul at least, there-



fore, if not the vice consul, ought to be salaried officers. They will never, then, by their countrymen, be suspected of acting toward them as their commercial interest, not as their duty, requires; and their complaints in behalf of their fellow citizens will be attended to, because they will not be liable to the suspicion of advocating their own interest; consular offices would no longer be held in countinghouses, nor the consul himself called from defending the case of an American citizen to sell a barrel of sugar or to dispatch the settlement of an account."

He therefore proposed to have 30 consuls who should receive salaries of \$2,000 each, and 126 vice consuls and commercial agents who should receive salaries averaging \$1,000 each. According to his estimate the entire salary list would not amount to more than \$186,000.

Mr. Livingston urged further that the rights, privileges, and duties of consuls should be more precisely defined, and himself prepared a pamphlet of instructions as far as could be done without legislation for the guidance of consuls in the performance of their duties. He was strongly opposed to the collection of fees by consuls as a means of defraying the expenses of the system, and held that it was not only an unjust tax upon commerce, which it was important to relieve of unnecessary burdens, but that it singled out consular officers as a class distinct from other public officers whose entire compensation was provided from the Treasury.

Convincing as these arguments were that some improvement in the consular system should be made, they failed to impress Congress sufficiently to induce it to act. A similar fate befell the plans submitted to that body in 1838 (H. Ex. Doc. No. 467, 25th Cong., 2d sess.), and 1844 (H. Rept. No. 166, 28th Cong., 1st sess.), although in the latter year a bill was introduced by Senator Semple, but was indefinitely postponed. (Speech of Hon. J. W. Patterson, May 11, 1864, Pamphlets, United States Consular Service, vol. iii, Department of State Library.) That these continued efforts in the direction of reform were having some effect, however, was apparent from the action of a select committee of the House of Representatives in 1846 (H. Rept. No. 714, 29th Cong., 1st sess.), reporting a bill somewhat along the lines advocated by Secretary Livingston, with the addition of a provision designed to secure reasonable permanency of tenure. It was evident that the committee had inquired carefully and intelligently into the existing consular system and had become convinced that radical changes were required to make it adequate to the needs of the rapidly increasing commerce.

The Secretary of State, Mr. Buchanan, who was requested by the committee to report upon the bill, reviewed the whole subject in detail and strongly recommended that Congress should specify the number and compensation of consuls and vice consuls, and should create a new grade of consuls general to be used only where foreign Governments were represented by officers of that grade. He also urged the enactment of a general law which should revise the scattered statutes relating to consuls, define clearly their duties and powers, and prescribe the fees to be collected by them. His recommendations were not acted upon, however, and nine years elapsed before any further effort was made.

In 1854 a bill to remodel the Diplomatic as well as the Consular Service was prepared and presented to the House of Representatives by Mr. Perkins, of Louisiana (H. Rept. No. 348, 33d Cong., 1st sess.), who had made a careful study of the subject and whose able advocacy of the bill in Congress was instrumental in securing the adoption of the measure by a majority of the Members of that body. This measure went much further than any one of the previous plans, and it embodied the essential features of all of them.

When it became a law on March 1, 1855, and was submitted to the Attorney General for interpretation it was found to contain so many defects (8 Op. Attorneys General, pp. 189, 243), that the following year Congress was induced to pass a similar law free from these objectionable features, entitled "An act to regulate the diplomatic and consular systems." (Act of Aug. 18, 1856, 11 Stat. L., p. 64.) The main purpose of this law was to gather into one general scheme the large number of unrelated and practically independent offices, classify them according to a definite plan, prescribe rules and regulations under which they should be conducted, and provide more certain and adequate compensation. The more important posts were divided into two classes, and the consuls in these classes were to receive salaries in lieu of all commissions and fees for services rendered by them. The officers in the first class, who were to receive salaries of from \$1,500 to \$7,500, were prohibited from engaging in any



business, while those in the second class, who were to receive salaries of from \$500 to \$1,000, were permitted to engage in business. All the officers not enumerated in the two classes described were to be compensated as before by the fees they might collect for their official services. Other sections of the act brought together the scattered statutes defining the duties of consuls, revised and supplemented them and conferred full authority upon the President to prescribe regulations which should have the force of law for the guidance of consuls in the performance of their duties. It was at last made possible to bring about some reasonable degree of accountability on the part of consuls in respect not only to the income of their offices, but to their conduct, reports, absences, and miscellaneous duties.

It was the intention of the framers of the act to make it the beginning of a permanent Consular Service to be composed of men of experience who had grown up in the work. To this end the act authorized the President to appoint 25 consular pupils at salaries not to exceed \$1,000 a year. These officers were to be examined before their appointment, and were to be assigned to consulates in the discretion of the President. At the next session, however, Congress not only refused to appropriate the amount necessary for their salaries, but repealed the section authorizing their appointment. Through persistent effort on the part of the President and friends of reform in Congress, in 1864 the provision was restored in part by creating a corps of 13 consular clerks, with salaries of \$1,000 a year, who were to hold office during good behavior and could not be removed except for cause stated in writing and submitted to Congress. (Act of June 20, 1864, 13 Stat. L., p. 139.) A later act gave consular clerks \$1,200 a year after five years of service. (Act of June 11, 1874, 18 Stat. L., p. 70.) But the original purpose of creating this corps of officers failed because the lack of permanency of tenure in the higher offices of the service made consular clerks unwilling to accept promotion.

A further effort to insure the appointment of capable men as consuls was made in 1866, when an order was promulgated requiring all applicants for consulships to present themselves for examination before a board consisting of the Second Assistant Secretary of State, the examiner of claims, and the officer in charge of the consular division. Only one examination appears to have been held under this order, and of the nine candidates examined, two were found not to be qualified, one because lacking in knowledge of foreign languages, and the other because of general incompetency. The next step was the promulgation of the Executive order of April 16, 1872, which was soon superceded by that of March 14, 1873. These orders were issued under the civil-service act of March 3, 1871, and provided that vacancies in any grade of consulates or clerkships in the Department of State might be filled either by transfer from some other grade in the clerical, Consular, or Diplomatic Service under that department; by the appointment of persons who had previously served satisfactorily under the Department of State; or by the appointment of persons who had produced satisfactory references as to character, responsibility, and capacity, and who had, on examination, been found to possess the necessary qualifications. The board of examiners was composed of three officers of the Department of State, and a number of persons were examined during the years 1873 and 1874. It is said that the system worked well, and resulted in the improvement of the Consular Service; but it was given up contemporaneously with the suspension of the work of the Civil Service Commission by the refusal of Congress to make the necessary appropriations for the support of that body.

Irregularities which had been revealed from time to time and the lack of any method of determining the fitness of candidates for appointment and of any permanency of tenure led to a series of attempts to improve the organization of the service and remove it from the influence of politics. As early as 1868 a bill was prepared by Representative Patterson to grant salaries to all offices which were necessary and to abolish all others; to grade the service; to regulate the appointments by competitive examinations and encourage efficiency by promoting consuls in the lower grades to vacancies in the higher ones. (S. Rep. No. 154, 40th Cong., 2d sess.) A similar bill passed the Senate in March, 1872 (H. Misc. Doc. No. 61, 42d Cong., 3d sess.), but got no further, and the subject appears to have been dropped until 1884, when President Arthur and Mr. Frelinghuysen, then Secretary of State, strongly urged Congress to provide suitable salaries for all consuls; to require all fees of whatsoever description to be paid into the Treasury; to establish a rigorous system of inspection; and to abolish the office of consular agent and substitute in its stead that of salaried vice consul, in accordance with the custom of foreign nations. (H. Ex. Doc.



No. 121, 48th Cong., 1st sess.; H. Ex. Doc. No. 146, 48th Cong., 1st sess.) Again in 1886 a bill was urged in which was included provision for a graded service with promotion based upon efficiency. (H. Doc. No. 121, 48th Cong., 1st sess.) Congress manifested no interest in the subject, however, and no further effort was made until 1895. In that year François S. Jones, a clerk in the Department of State, who had given some attention to the study of foreign consular systems, particularly that of France, drafted a bill which was introduced in the Senate by Senator Morgan, of Alabama, and reported favorably from the Committee on Foreign Affairs. (S. Rep. No. 886, 53d Cong., 3d sess.) The bill proposed to remodel the Diplomatic as well as the Consular Service, and followed in principle the other bills which had been proposed since 1856. While it received no special attention from Congress, it served to direct attention to the subject and revive the efforts that had been made in the direction of improvement.

Although at the beginning of his second administration President Cleveland had made an unusual number of changes in the personnel of the Consular Service, toward the end of that administration, in the autumn following the failure of the Jones-Morgan bill, he undertook to regulate, in part at least, the selection of candidates for consular appointments by ordering, on September 20, 1895, that any vacancy in a consulate with compensation of over \$1,000 and not more than \$2,500 should be filled in one of the following ways:

(a) By the transfer of some one in the service of the Department of State whose duties had been of a character to qualify him for consular work.

(b) By the appointment of a person who had previously served in a satisfactory manner in the Department of State.

(c) By the appointment of a person who had furnished evidence of character, had then been selected by the President for examination and had been found to be qualified.

The examination, based upon this order, was both oral and written. The written examination was entirely technical and covered the principal portions of the consular regulations applicable to the duties of the post to which the candidate desired to be appointed. The oral examination, which was stenographically reported, was broader and was designed to bring out the personal fitness and qualifications of the candidate. It included a test of the candidate's ability to speak the language of the country in which his prospective post was situated or the French language. For the time being the examination proved to be a fairly satisfactory test of the qualifications of the candidates and the board of examiners did their work thoroughly and conscientiously. Of the 13 candidates examined before the 4th of March, 1896, 8 passed and 5 were rejected. (Foster: Practice of Diplomacy, p. 240.)

But the end of the administration was too near to permit the new system to have a fair trial in the hands of those who were responsible for it. Moreover, President Cleveland's removal at the beginning of his term of the majority of the consuls general, consuls, and commercial agents and the appointment in their places of persons who had contributed to the success of the party weakened the effect of the order and gave reasonable excuse for a similar course on the part of his successor. President McKinley left the order unchanged, but any impression of permanency of tenure was soon removed by the prompt recall of many of the most capable consuls and the appointment in their places of friends of the administration. Of the 272 consuls then in office 238 were recalled and new and untried men put in their places. (Century Magazine, vol. 35, 1898-99, p. 604.) The examination which had been of some real value under the preceding President was too tedious a process in view of the large number of candidates that came within its scope. Gradually the standard was lowered; the oral and most important part of the examination was at first conducted in a perfunctory manner and later discontinued altogether; the written test was at last rendered so simple that it amounted merely to a test of ability to memorize. It has been said that of 112 candidates examined at the beginning of the administration of President McKinley only one was rejected. (Century Magazine, vol. 35, 1898-99, p. 604.)

The strong protests made at the time by the press of both of the leading political parties against the large number of removals were due in a measure to a better appreciation on the part of the public of the nature of the duties which consuls were called upon to perform and a clearer understanding of the vital importance of our commercial and other interests abroad of greater permanency of tenure and of a change in the method of selecting candidates for appointment. In the early years of our history the duties of our consuls



were very largely confined to the care and protection of our merchant marine. But as the import trade increased, it became desirable more effectually to safeguard the customs revenues and consuls were directed to require foreign exporters to the United States to make oath before them to the value of the merchandise whenever it was subject to an ad valorem duty at the American port of entry. Gradually this function had been extended until every invoice of imported merchandise valued at more than \$100 was required to bear a certificate of an American consul to the correctness of the market value of the merchandise. The practical utility of the certification of invoices was shown during the early part of President McKinley's administration. A consul general in Europe having become convinced that the merchandise exported from his district was being invoiced below its true market value, began a careful expert investigation for the purpose of ascertaining the cost of manufacture and actual selling price, with the result that upon the strength of information supplied to the customs officers the revenues from merchandise exported from his district alone were increased approximately \$800,000 a year. (H. Rep. No. 1313, 57th Cong., 1st sess.) Consuls had also become guardians of the health of our seaport cities by virtue of the law which required vessels bound for the United States to obtain consular bills of health which made it possible for the quarantine officers at our ports to know the exact sanitary and health conditions prevailing at foreign ports at which the vessels had touched and the condition of the vessels and their crews and cargoes at the time of their departure for the United States. Though less frequently than at the time when the United States possessed a large merchant marine, consuls still exercised important functions in quelling mutinies and returning accused sailors for trial in this country; acting as protectors of American seamen in their discharge abroad and in the collection of wages due them, maintaining them when ill or destitute and under some conditions affording them transportation home. The receiving of protests and declarations, one of the first duties imposed upon consuls by law, and the general powers of notaries public, which had been conferred upon them brought them into close contact with many of our citizens. The protection of American citizens abroad had always constituted one of the most important duties of consular officers and one of the most severe tests of their efficiency. It is the duty of a consul to endeavor upon all occasions to maintain and promote all the rightful interests of his countrymen; to protect them in all the privileges provided for by the treaty or conceded by usage; and to aid them before the local authorities of the foreign country in all cases in which they may be injured or oppressed. But anything less than an early release of an offending citizen from a foreign prison frequently calls forth complaint against the consul, and these complaints, although usually unjust, contributed much to the development of a sentiment in favor of reform. More important, however, was the dissatisfaction with the administration of justice by consular officers in so-called un-Christian countries. Our consuls were empowered by the early treaties with the Barbary States to settle all disputes between their countrymen and to be present at the trial in the local courts of cases to which Americans and subjects of the Barbary States were parties. These powers were somewhat enlarged in respect to American citizens in Turkey by the treaty of 1830 with the Ottoman Porte. The treaty of 1844 with China gave to American consuls in that country jurisdiction over all cases between citizens of the United States, and over all cases in which Americans were defendants. This jurisdiction was further enlarged by the treaty of 1880 with China which secured to our consuls the right to be present at the trials of cases in the Chinese courts to which American citizens might be parties. The law of 1848 as amended by later statutes (act of June 22, 1860, 12 Stat. L., p. 22; act of July 1, 1870, 16 Stat. L., p. 184; act of Mar. 23, 1874, 18 Stat. L., p. 23) defined the manner in which cases should be tried, and gave to consuls jurisdiction over all cases, civil and criminal, including capital offenses. In civil cases in which the matter in dispute was above \$500 and below \$2,500 an appeal could be taken from the consul to the American minister in China, and cases involving more than \$2,500 could be appealed to the circuit court of California when the defendant held the decision erroneous in point of law. Criminal cases could be appealed to the minister and under certain conditions from him to the circuit court of California. These acts were made applicable to Turkey and other countries in which the United States exercised extraterritorial jurisdiction so far as might be permitted by



our treaties. The importance of the intelligent and rightful discharge of these duties, involving the lives and civil rights of American citizens, is apparent. Unfortunately, many of our consuls who were called upon to exercise judicial functions had not been trained in the law, and several of them so discharged these duties as to bring upon themselves severe criticism.

The most potent factor in the movement of reform, however, was the realization that consuls could be instrumental in aiding materially in the development of our export trade. Prior to 1856 there had been published at long intervals compilations of the reports of consuls upon commercial subjects. The law of 1856 authorized the annual publication of consular reports, but in 1880 the Secretary of State, Mr. Evarts, inaugurated a monthly publication entitled *Consular Reports*. (Hunt: *The Department of State*, p. 143.) To satisfy the public demand for information upon special subjects connected with trade this was soon followed by another volume issued from time to time under the title of *Special Consular Reports*. As the public interest in the commercial information furnished by consuls continued to increase, a plan was adopted, largely as an experiment, of publishing daily all consular reports of current value under the title of *Advance Sheets of Consular Reports*. The first issue appeared January 1, 1898. The extracts from it which were printed in the daily newspapers did more, perhaps, than anything else to impress the public, and the business man in particular, with the fact that by supplying timely information consuls could perform a service of the utmost importance to our manufacturing and other interests and greatly aid in the sale of our products abroad. This afforded a practical basis upon which to demand a reorganization of the Consular Service, and with a better understanding of the other duties of consuls and a clearer appreciation of the manner in which they should be discharged, public sentiment in support of an efficient consular system rapidly developed.

The commercial organizations over the country began to manifest an interest in the subject. The national board of trade appointed a regular committee on consular reform. The Cleveland (Ohio) Chamber of Commerce, represented by Mr. Harry A. Garfield, brought about an organization of the chambers of commerce and boards of trade in the principal cities of the country. (S. Rept. No. 499, 57th Cong., 1st sess.) Later the National Business League of Chicago and the New York Board of Trade and Transportation undertook a systematic campaign on even broader lines. The bills so far presented had failed to meet with the entire approval of the commercial organizations, and besides there was lack of harmony among friends of the movement in both Houses of Congress. With a view of concentrating the efforts upon one measure upon which all could agree, and which should embody all the essential principles in the most simple and practical form, a bill was drafted by Gaillard Hunt, now Chief of the Bureau of Citizenship of the Department of State, which was acceptable to the commercial organizations and subsequently to the men in the Senate and House of Representatives who were in favor of reform. The bill was first introduced in the Senate by Senator Lodge, of Massachusetts, and later in the House of Representatives by Mr. Adams, of Pennsylvania.

No action was taken except to report it favorably in each House, but the bill continued to be presented anew at each session of Congress.

Fortunately for the success of consular reform Elihu Root became Secretary of State in the summer of 1905, and one of the first subjects to which he directed his attention was the improvement of the Consular Service. In collaboration with Senator Lodge, he drafted a bill following the general lines of those which has preceded it, but in addition providing for five inspectors of consulates, prohibiting consuls from engaging in business and from practicing law for compensation, and prohibiting the employment in consular offices of any but American citizens in clerical positions the annual salaries of which were \$1,000 or more. (S. Rept. No. 112, 59th Cong., 1st sess.) One of the vital features of this bill was a provision for the appointment of candidates to the two lowest grades after having passed an examination to test their fitness, and the filling of vacancies in the higher grades by the promotion of officers from the lower grades of the service. This and other important provisions in the bill were not acceptable to the Senate, however, and were stricken out in the Committee on Foreign Relations. It had been desired also to obtain the consent of the Senate to the appointment of consuls to grades of the service without respect to place in order that they might be assignable in the discretion of the President and thus secure greater flexibility of administration; but this provision was also disapproved, so that when finally passed by Congress the bill classified the service by providing



for 310 consulates general and consulates at as many foreign ports; it arranged these offices in 16 classes with salaries of from \$2,000 to \$12,000 each; it created five inspectors of consulates; prohibited the appointment of foreigners to clerkships in consulates with annual salaries of \$1,000 or more; prohibited consuls from engaging in business or practicing law or being interested in the fees of any lawyer; required the performance of notarial services which had theretofore been optional; required all fees to be paid into the Treasury; made the salary provided by law the sole compensation of an officer; and provided for the use of adhesive fee stamps as a check against failure to account for fees that might be collected. (H. Rept. No. 2281, 59th Cong., 1st sess.)

Although this act was almost wholly administrative in character, in no sense touched the existing system of appointments and made no provision in regard to the tenure of office, it specifically abolished the personal-fee system and provided more liberal salaries, and made it possible to organize the service upon a plan designed to promote efficiency. Before the act became effective, on the 30th of June, 1906, a large number of promotions had been made on the basis of an efficiency record established in the Department of State by Secretary Root. These promotions indicated a determination on the part of the President and the Secretary of State to adopt regulations in harmony with those provisions of the bill which had failed to receive the approval of Congress. Then five of the most experienced officers were called home to consult with the Chief of the Consular Bureau and assist in outlining the regulations made necessary by the new act. The moral effect of this step was alone sufficient to justify this departure from the traditional policy of the Department of State. As a result of the deliberations of these officers regulations were prepared for the newly created inspection force, outlining the scope of their investigations and the manner in which they were to be conducted; suggestions were made for the examination of candidates for admission to the service, and many improvements in the general regulations were agreed upon.

Having failed to induce Congress to enact a law regulating the selection of persons for appointment to the Consular Service, President Roosevelt, upon the advice of Secretary Root and in the exercise of the constitutional powers of his office and the power conferred upon him by statute, issued an order on June 27, 1906, which, with the regulations of the board of examiners created by that order, inaugurated a system governing appointments and promotions, which is substantially as follows:

1. A board of examiners, consisting of the Third Assistant Secretary of State, the Chief Clerk of the Department of State, and the Chief Examiner of the Civil Service Commission, whose duty it is to formulate rules and hold examinations of candidates for admission to the Consular Service.

2. The examination is open only to persons between the ages of 21 and 50 who are American citizens of good moral character and habits, physically and mentally qualified for the proper performance of consular work, and who have been especially designated by the President for appointment, subject to examination. The age limit in the examination for student interpreter is from 19 to 26, inclusive, and the candidate must be unmarried.

3. The examination is both written and oral, each part counting equally and requiring an average on both of at least 80 in order to pass. The subjects embraced in the written examination are: One modern language other than English; the natural, industrial, and commercial resources and commerce of the United States, with special reference to the possibilities of increasing and extending the foreign trade of the United States; political economy; the elements of international, commercial, and maritime law; American history, government, and institutions; political and commercial geography; arithmetic; the history since 1850 of Europe, Latin America, and the Far East, with particular attention to political, commercial, and economic tendencies. To become eligible for appointment as consul in a country in which the United States exercises extra territorial jurisdiction a supplementary examination in the common law, the rules of evidence, and the trial of civil criminal cases is required. The oral examination is designed to determine the candidate's character, business ability, alertness, general contemporary information, and natural fitness for the service, including moral, mental, and physical qualifications, character, address, and general education, and good command of the English language.

4. Candidates who successfully pass the examination may be appointed only to the eighth or ninth grade of consuls, or as vice or deputy consuls, consular clerks, or student interpreters.



5. Persons serving in the Department of State, with annual salaries of \$2,000 or more, may be promoted to any grade of the Consular Service above the eighth grade.

6. Vacancies in offices above the eighth grade are to be filled by promotion from the lower grades of the service.

7. Vacancies in classes eight and nine are to be filled (*a*) by the promotion of consular clerks, vice consuls, deputy consuls, consular agents, and student interpreters, who shall have been appointed upon examination; or (*b*) by new appointments of candidates who have passed a satisfactory examination.

8. No promotion is to be made except for efficiency as shown by the ability of the officer, his promptness, diligence, and general conduct and fitness.

9. The political affiliations of candidates are not to be considered, and, other things being equal, appointments are to be so made as to secure proportional representation of all the States and Territories in the Consular Service.

It may be explained that the examination is not competitive, but the high standard fixed by the President's order, and the number and character of the subjects which the examination is required to cover afford ample assurance that no one not well qualified is likely to be appointed consul.

President Roosevelt's order marks the beginning of a new era in our foreign service, and if enforced strictly will in time give the United States a consular system second to none in all the world. The establishment by Secretary Root of an efficiency record upon which a consul must depend for advancement or even retention has already had a stimulating effect upon the entire service. It is no longer sufficient that a consul should be able merely to exhibit a clean record free from complaints or criticisms. He must now produce positive results of more than average character if he would be rated relatively high in the scale of efficiency. He may no longer rest content in the knowledge that his friends at home will aid him in a desire to reach higher rank in his chosen field of endeavor. The only friend of real service to him now is a record of efficient and faithful performance of duty.

Through the instrumentality of the system of inspection, the Department of State, for the first time in its history, will soon be in possession of detailed reports upon every American consular office in the world. The practical value of these reports to the officers in charge of the administration of consular affairs at home can scarcely be overestimated. For years, with the exception of partial inspections authorized by Congress at long intervals, there have been no means of ascertaining the condition of the great majority of offices except through statements of the officers themselves or of American travelers who have had occasion to visit them. There is no doubt that the inspection will suggest many improvements that may be made, and that it will be followed by wiser and more intelligent administration, better discipline, and more practical results.

It is clear that substantial progress in the improvement of our Consular Service has been made, but whether the results already accomplished are to be permanent is by no means certain. So long as the present administration continues in power the President's order will be enforced, but there is always danger that a succeeding administration may be less favorable to a system which bases appointments upon fitness regardless of other considerations, and that the work of the past year may go for naught. It is for this reason that those who are especially interested in an efficient and representative consular force are already engaged in furthering a movement to the end that Congress may be induced to embody the Executive order in a law, or at least to formally approve the principles of the order by joint resolution. In one of these courses appears to lie the only hope at present of insuring the permanency of the existing system of appointments and the development of a body of consular officers qualified by training and experience to deal with the delicate and difficult problems of our foreign commerce and to protect the increasing personal and financial interests of our citizens in foreign lands.

#### IN CONCLUSION.

Our foreign trade and commerce is increasing. The value in this connection of the foreign service is now recognized. It has been to a large extent an efficient nonpartisan instrument for the expan-



sion of American commerce and the extension of American enterprise, securing for American commercial interests equal trade opportunity with the peoples of other countries. It is through its agency that the entire business of the Government in its relations with other Governments is conducted. It should be maintained to the highest degree of efficiency and, in so far as possible, lifted completely out of the slough of partisan politics and placed where it belongs, upon the high, impregnable ground of the merit system where talent, ability, competency, fitness, and experience shall be the sole qualifications for appointment and promotion.

The foreign service comes home to every business man in the country who is doing any foreign trade at all, and if there is a single agency of Government to-day of which the people of the United States are proud it is the foreign service, with the great improvement that has been made in its consular branch, which has become so much improved in recent years that the Emperor of Germany not long ago in a public speech said that the consular system of the United States was the best in the world.

We are of the opinion that this bill will increase our foreign trade and promote the efficiency of the public service, and to that end Congress should do everything in its power to increase the one and to improve the personnel and the efficiency of the other.

















LIBRARY OF CONGRESS



0 012 619 621 0

